

Dr. Ball - please share
HOWARD COUNTY COUNCIL
RECEIVED
November 3, 2017
2017 NOV -6 PM 4:45
Drs. V. Maghekar's studies
and Bassler data

CB, JT, JW,
JF, MS

Dear Mr. Weinstein, Dr. Ball, Ms. Terrasa,

CB60 has been a bill of contention for these past three years. I don't think anyone is denying a farmer his/her prerogative to compost/mulch their own waste on their own property to subsequently be used solely on their own property.

As I understand it the issue seems to be farms becoming industrial-commercial compost/mulch enterprises, i.e. trucking in waste materials, composting these materials, selling, and trucking out the final end product(s). Sorting through EPA guidelines and Maryland Department of Agriculture guidelines has been onerous.

The guidelines, regardless of how loosely structured and interpreted some may be, should have one primary caveat and principle, 'Will this cause harm to the local community'. This is in fact the guiding principle in the European compost studies cited by Linda Bilsens (ILSR) at our last open meeting. With respect to the farm on Greenbridge Road in Dayton, Maryland the unequivocal answer is 'Yes' it absolutely will.

Attached please see the location of the above farm. It is surrounded by private residences that literally abut the farm property. One side, though no homes in evidence, has eleven lots for development. Permits have been requested. Please see attached map.

In addition to the Health (allergens, respiratory difficulties), Safety (sixteen wheelers in and out), and Pollution (noise five, five and a half days a week) issues is another one that has received too little consideration, Property Values. Dayton is a wonderfully mixed community, ethically, racially, religiously, financially. While some of our residents are quite well-to-do, others wealthy, many are not. The appreciation of their homes constitutes a major part of their retirement savings and personal future well-being.

An industrial-commercial enterprise, not farming by any definition, in the midst of our community will be a death knell for so many of us. Selling our homes will be nearly impossible. We won't be able to sell, we can't move, nor can those aging afford to stay.

Please, give careful consideration to the weight of your decision. First do no harm. Surely we can work from that premise. The continued growth and well-being of an entire and wonderful community depends upon it.

Consider this type of industrial/commercial enterprise in the midst of your own communities. If this is quite objectionable and somewhat horrifying to each of you, then know that that's where we are currently.

Thank you.

Corliss Glennon

14014 Triadelphia Mill Road

Dayton, Maryland

Dear Mr. Weinstein, Dr. Ball, Ms. Terrasa,

If our County Council is genuinely concerned about the health, well-being, and positive growth of our county, then the vote for CB 60 is quite clear, 'no' to an industrial/commercial enterprise in the midst - literally in the midst - of a residential community, especially that of composting/mulching. This is the site of Mr. Orndorff's enterprise. Please see the attached map.

There is no amount of 'landscaping' that can be done to disguise the sixteen wheelers, the noise from the grinders as well as the trucks, and the airborne allergens five and a half days a week, eight operational hours a day. And sooner or later the tragedy of the two young children in Virginia will be repeated - here.

Opel Jones
7307 Summit Rock Road
Elkridge, MD 21075
410.300.4822

Testimony in opposition to CB60-2017 (ZRA 180)

Council Bill 60-2017 (ZRA 180) - Introduced by: Chairperson at the request of the County Executive and cosponsored by Greg Fox and Mary Kay Sigaty; AN ACT allowing certain composting facilities and emergency natural wood waste recycling facilities as accessory uses under certain conditions in certain Zoning Districts; allowing certain natural wood waste recycling 4 facilities and composting facilities as a use permitted as a matter of right under certain conditions in certain Zoning Districts; providing supplementary regulations for composting facilities and emergency natural wood waste recycling facilities; providing conditional use standards for composting facilities and natural wood waste recycling facilities; defining certain terms; making certain technical corrections; and generally relating to the Howard County Zoning Regulations.

Greetings! My name is (*name*)... I live at (*address*) ... and I come before you this evening to testify in opposition to CB60-2017. As you will no doubt hear from dozens if not hundreds of concerned Howard County citizens on this bill, I will be brief.

I live in Elkridge, right off Route 1, right smack dab in the middle of Zone M2. My wife and I are proud parents of 2 boys, we enjoy the outdoors, take our dogs for nightly walks, and have basked in the beautiful weather not just in our neighborhood, but around the corner at Gateway Overlook, as well as several businesses which are adjacent to Route 1. I am deeply concerned about the health of my family, my neighbors, and fellow Howard County residents of Eastern Howard County, if this bill were to pass in its original form.

Mr. Chair, Councilmembers, I humbly urge you to table this bill until a later date, preferably until after your recess, so that the amendments to this bill can develop and be implemented.

Respectfully submitted,


Opel Jones, I

Sayers, Margery

From: Arthur Klaunberg <artklaunberg@verizon.net>
Sent: Friday, November 03, 2017 11:10 AM
To: Kittleman, Allan; CouncilMail
Subject: CB-60 (amending)

County Executive Kittleman
County Council Members:

Regarding CB-60 (mulching etc.), we want this Bill amended to allow us Howard County residents to reside in a safe/liveable environment conducive to safe/good health!! The Doctors - experts in this matter - should be allowed to testify on our behalf - The concerned Howard County taxpayers!
Your serious considerations of all aspects/by-products of this business will be most appreciated!!

Respectfully yours,

Arthur J. Klaunberg, Jr
Gloria A. Klaunberg
3119 Cabin Run
Woodbine, MD 21797

Sayers, Margery

From: Sigaty, Mary Kay
Sent: Friday, November 03, 2017 10:36 AM
To: james.nickel55@gmail.com; Kittleman, Allan; CouncilMail; Lazdins, Valdis; Gowan, Amy; Plummer, David
Cc: im Mayer; Mike Navarre/Lynn; Bethany Hooper; Rob Bundy; Dan O'Leary; Andrew Royle; Lisa Markovitz; Susan Garber; Carol Jane Gray; Ocheltree Janet; Erin Allen; John Allen; Al Risdorfer; Bono Tony V; Paul Morris; Paul Retzbach; Colleen Retzbach; Kristin Robertson; Lora Houck; Trip Kloser; Craig Ostrom; Julius Tunji Akintade; Chelakara Shankar; Banwarth Dave; dave.kromer@tunnellgov.com; Sylvie Leary; Alan Schneider; Paul Shoffeitt; Mike Bucci; Robert Scales; China Williams; Katie Hester; Mike; Patricia Soffen; Joanne Heckman; darbus37@gmail.com; Jennifer Bush; SHARON KEENY; tilycog@comcast.net; cathydatz@yahoo.com; Richard Valentine; Belkacem Manseur; Alex Xu; Richard Taber; Phil Montag; bstrickland@wtplaw.com; ST Balimtas; Michael Burns; Paul Retzbach; fernandesgj@washpost.com; Eric Goldberg; benabili@hotmail.com; Rob Bovello; Paul Robertson; Michael Price; Doug Lee; Jay and Santa Bhalani; Ajay soodan; jmathew@acidd.us; Om Prakash Gupta; jthensel61@gmail.com; Benjamin Lee; joelhouck66@yahoo.com; Ty Shrader; sdwerlinich@aol.com; Williams; Z Zhang; Brian Lehman; Lisa Valentine; Denise Howze; Hafida Manseur; Ning Hu; dianaw scales@gmail.com; Richard and Susan Taber; Marisa Montag; estrickland@offitkurman.com; Robin Balimtas; Kathy Burns; Home; Dahna Goldberg; Michelle Meney; jmbovello@comcast.net; Delia Velculescu; Annette Lober; rajput31@yahoo.com; Melissa and Larry Kramer; Jyoti Gupta; s.hensel@live.com; Carol Werlinich; Mirra Morris; Sally Ostrom; Karen K; Laurie Lehman; kf321jump@verizon.net; Paul Capodanno; Ted Mariani; Rick Lober/Annette; Brent Loveless; Stu Kohn; Rob Long; Preserve Dayton; Velculescu Victor; Jeff Harp; Jeff Harp; Luv of My Life; andrew.green@baltsun.com; John Tegeris
Subject: FW: CB60-2017 and Dayton property

Good Morning Mr. Nickel,

I have shared with the public at several of our meetings that the work represented by your enclosed photo was a conservation practice. Clearly you don't believe me, so I'm sharing with you and the many others who have had the opportunity to see your photos my recent communication with the District Manager of the Howard Soil Conservation District.

Hopefully you will find David Plummer's description of the activities at the Orndorff's farm informative.

Mary Kay Sigaty

Howard County Council
District 4
3430 Court House Drive
Ellicott City, MD 21043
410-313-2001

From: David Plummer <dplummer@howardcountymd.gov>
Date: Thursday, November 2, 2017 at 9:00 AM
To: "Sigaty, Mary Kay" <mksigaty@howardcountymd.gov>
Subject: RE: CB60-2017 and Dayton property

Good Morning Mary Kay,
What an engaged citizenry you have! It appears that someone took the time to fly a drone over Mr. Orndorf's farm to capture photos of this beautiful conservation practice. This is actually a better photo of this practice than we can usually get from the ground (we haven't been able to afford a drone yet for the office). This practice is called a Water and Sediment Control Basin or WASCOB for short, and yes it is an approved NRCS standard conservation practice.

If you look closely at the second photo, which looks like an aerial from Google Earth or similar program, you will see the gullying that was occurring in this section of field due to the slopes (the crooked line running down the middle of the field). The fact that this shows up on an aerial photo indicates that it was a pretty significant problem. This gullying means that sediment was being transported downstream on a regular basis. I believe the majority of this area was simply planted to grass in an attempt to stabilize it, as opposed to crops. Geotextile material is used on a variety of conservation and stabilization projects.

The goal of the WASCOB is to prevent this gully erosion, create a level area that can be productively farmed, and reduce the runoff to the equivalent of forest land cover. Lofty goals, but we are always trying to design and implement projects that will help protect our local waters and the Chesapeake Bay.

I don't see any correlation between this conservation practice and CB60-2017? We help landowners with conservation practices like this all the time, and it has nothing to do with mulch or compost. Thanks for sharing this with me, I hope you have a great day! - David

David C. Plummer, District Manager
Howard Soil Conservation District
14735 Frederick Road
Cooksville, MD 21723
410-313-0680; www.howardscd.org

From: Sigaty, Mary Kay
Sent: Thursday, November 02, 2017 6:47 AM
To: Plummer, David <dplummer@howardcountymd.gov>
Subject: FW: CB60-2017 and Dayton property

Good Morning David,

I need a little help—Can you or one of your folks tell whether the work shown in the photo included below is in keeping with the conservation plan that you helped Bob create? If so, could you describe what we are seeing?

Thanks.....MK

Mary Kay Sigaty
Howard County Council Member
District 4

3430 Court House Drive
Ellicott City, MD 21043
410-313-2001

From: James Nickel <james.nickel55@gmail.com>
Date: Wednesday, November 1, 2017 at 7:44 PM
To: CouncilMail <CouncilMail@howardcountymd.gov>
Cc: Allan Kittleman <akittleman@howardcountymd.gov>, Val Lazdins <vlazdins@howardcountymd.gov>
Subject: CB60-2017 and Dayton property

Council Members,

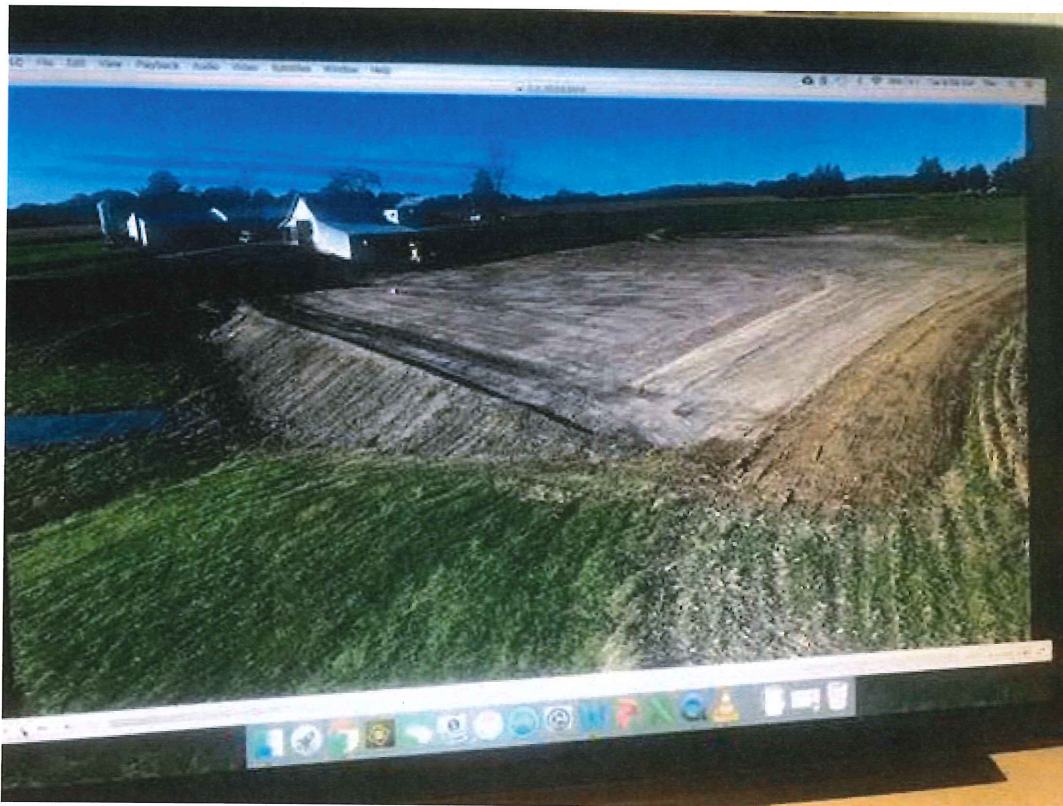
Please see the attached aerial photo, i.e., JBRK property Dayton.jpg.

You can see at the edges of the fresh dirt what appears to be an application of Geotextile Fabric. Frequently used for roadway or driveway stabilization or leachate containment. On top of that is a white material, possibly crushed stone. That is hardly conducive to farming. Is that allowed on Howard County Preservation property? It even looks as if some crop was destroyed to accomplish this effort.

See also the attached photo, i.e., Prior to Fill.jpeg. That same section of property has been used for crop production. It may be this section of property is being prepared for some commercial operation not currently allowed under Howard County regulations.

Is this what Mr. Kittleman has intended with CB60-2017?

Best Regards,
Jim Nickel
Dayton, MD





Sayers, Margery

From: John Groopman <jgroopm1@jhu.edu>
Sent: Friday, November 03, 2017 10:19 AM
To: CouncilMail; Kittleman, Allan
Cc: Victor Velculescu
Subject: Health risks regarding industrial composting and mulching related to CB60

I am writing with respect to the issue of health risks regarding industrial composting and mulching related to CB60. In background, I have been a Professor of Environmental Health in Schools of Public Health for over 35 years and for 19 years I chaired the Department of Environmental Health Sciences at the Johns Hopkins School of Public Health. My research and practice activities focus on environmental exposures that confer health risks to communities. I have been the co-director of the Maryland Cigarette Restitution funded program at the Johns Hopkins School of Medicine since 1999 and my laboratory is currently funded by the National Cancer Institute to address interventions for populations at risk from air pollution. Finally, I teach the required environmental health course for our annual 250 MPH students, many of whom live and work in Howard County.

I believe that great precaution is needed to consider the siting of the proposed use of the compost and other materials to be applied to lands that impact the breathing zones of residents. There is significant work in our School by faculty and students focused on airborne dispersal of chemical, physical and biological agents that can emerge from high-volume deposition of compost, soil, and waste. Very troublingly work has documented the creation of antibiotic resistant organisms in large animal feeding facilities such as those found on the Eastern Shore of Maryland. As you are aware antibiotics are extensively used in these large chicken and hog facilities and studies from our department have demonstrated the production of antibiotic resistant organisms that are then found in the mulch and composting materials in these animal facilities. These organisms are readily aerosolized and workers in these facilities become exposed to these antibiotic resistant organisms. This is something that we see in community based MRSA infections and it is a very major issue for people living near these large facilities. Since this material is often used to enhance soils for growing various plants the dispersion of these bedding materials is actually fairly widespread even in non-agriculturally intensive areas. Obviously, the dispersion of anything in the air crosses property lines in the same way that the international transmission of air pollutants cross country barriers all over the planet.

Further, it is obvious that the recent and ongoing fires in California illustrate the long-term and long-distance reach of particulate matter that's generated through the aerosolization of particulate matter that can deposit in the deep lung. In addition, most people spend 90 to 95% of their time indoors and when these pollutant materials get embedded in shoes that are then tracked into homes or become entrapped in environments where there is limited air exchange then you can have a constant source of exposure since most people do not use HEPA filter equipped vacuums for cleaning. Ironically in our experience if these types of materials were found in the air in an elementary school in Howard County parents would be up in arms and demand immediate remediation.

Finally, we are all desirous of being as healthy as possible and we should not unnecessarily compromise health by having avoidable environmental contamination.

Sincerely,

John D. Groopman
Edyth H. Schoenrich Professor of Preventive Medicine
Department of Environmental Health and Engineering
Johns Hopkins Bloomberg School of Public Health
Associate Director for Population Sciences
Sidney Kimmel Comprehensive Cancer Center
Johns Hopkins School of Medicine

615 North Wolfe Street
Baltimore, MD 21205
Telephone: 410-955-3900; FAX: 410-955-0617
e-mail: jgroopm1@jhu.edu
web site: <http://faculty.jhsph.edu/?F=John&L=Groopman>

Sayers, Margery

From: John Tegeris <johntegeris@gmail.com>
Sent: Friday, November 03, 2017 12:56 AM
To: CouncilMail; Kittleman, Allan; Lazdins, Valdis; Gowan, Amy; Peter Jensen; pwood@baltsun.com; mdzwonchyk@baltsun.com; aburnett@wjz.com; Kim Dacey; srorman@sbgvtv.com; bzumer@sbgvtv.com; ambarnett@sbgvtv.com; Ted Mariani; Rick Lober/Annette; Brent Loveless; Stu Kohn; Rob Long; Preserve Dayton; Velculescu Victor; Jeff Harp; Jeff Harp; Luv of My Life; andrew.green@baltsun.com; John Tegeris
Cc: Tim Mayer; Mike Navarre/Lynn; Bethany Hooper; Rob Bundy; Dan O'Leary; Andrew Royle; Lisa Markovitz; Susan Garber; Carol Jane Gray; Ocheltree Janet; Erin Allen; John Allen; Al Risdorfer; Bono Tony V; Paul Morris; Paul Retzbach; Colleen Retzbach; Kristin Robertson; Lora Houck; Trip Kloser; Craig Ostrom; Julius Tunji Akintade; Chelakara Shankar; James Nickel; Banwarth Dave; dave.kromer@tunnellgov.com; Sylvie Leary; Alan Schneider; Paul Shoffeitt; Mike Bucci; Robert Scales; China Williams; Katie Hester; Mike; Patricia Soffen; Joanne Heckman; <darbus37@gmail.com>; Jennifer Bush; SHARON KEENY; tilycog@comcast.net; cathydatz@yahoo.com; Richard Valentine; Belkacem Manseur; Alex Xu; Richard Taber; Phil Montag; <bstrickland@wtplaw.com>; ST Balimtas; Michael Burns; Paul Retzbach; <fernandesgj@washpost.com>; Eric Goldberg; <benabili@hotmail.com>; Rob Bovello; Paul Robertson; Michael Price; Doug Lee; Jay and Santa Bhalani; Ajay soodan; jmathew@acidd.us; Om Prakash Gupta; <jthensel61@gmail.com>; Benjamin Lee; <joelhouch66@yahoo.com>; Ty Shrader; sdwerlinich@aol.com; Williams; Z Zhang; Brian Lehman; Lisa Valentine; Denise Howze; Hafida Manseur; Ning Hu; dianaw scales@gmail.com; Richard and Susan Taber; Marisa Montag; <estrackland@offitkurman.com>; Robin Balimtas; Kathy Burns; Home; Dahna Goldberg; Michelle Meney; <jmbovello@comcast.net>; Delia Velculescu; Annette Lober; rajput31@yahoo.com; Melissa and Larry Kramer; Jyoti Gupta; <s.hensel@live.com>; Carol Werlinich; Mirra Morris; Sally Ostrom; Karen K; Laurie Lehman; kf321jump@verizon.net; Paul Capodanno
Subject: CB60: Promoting "Industrial" Farming on Farmland Near You
Attachments: IMG953269111.jpg; BonnerOCT17.Still002.jpg; Bonner soil processing.png; JBRK Property Datyon.jpg

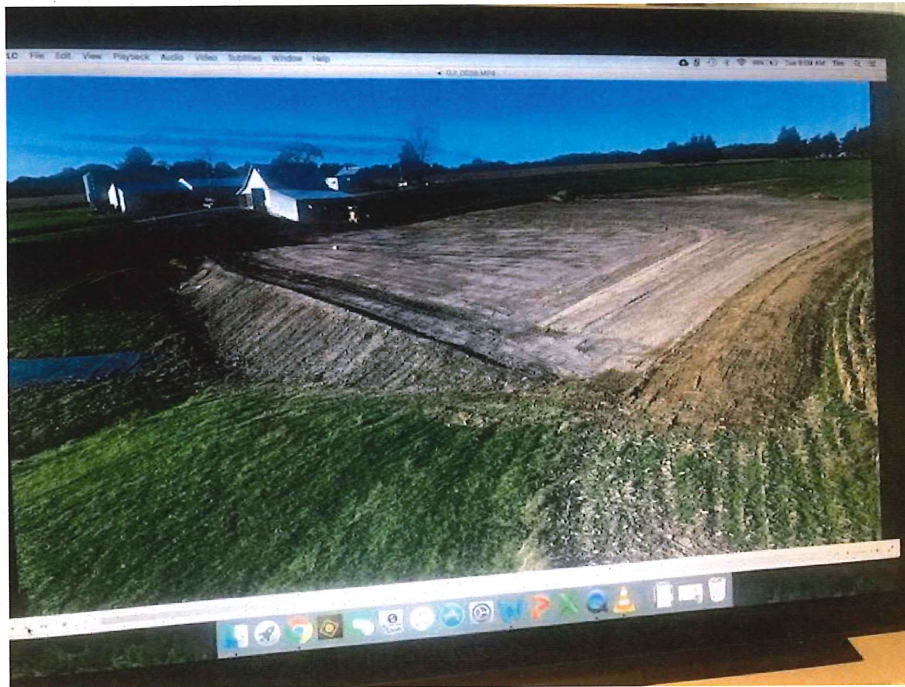
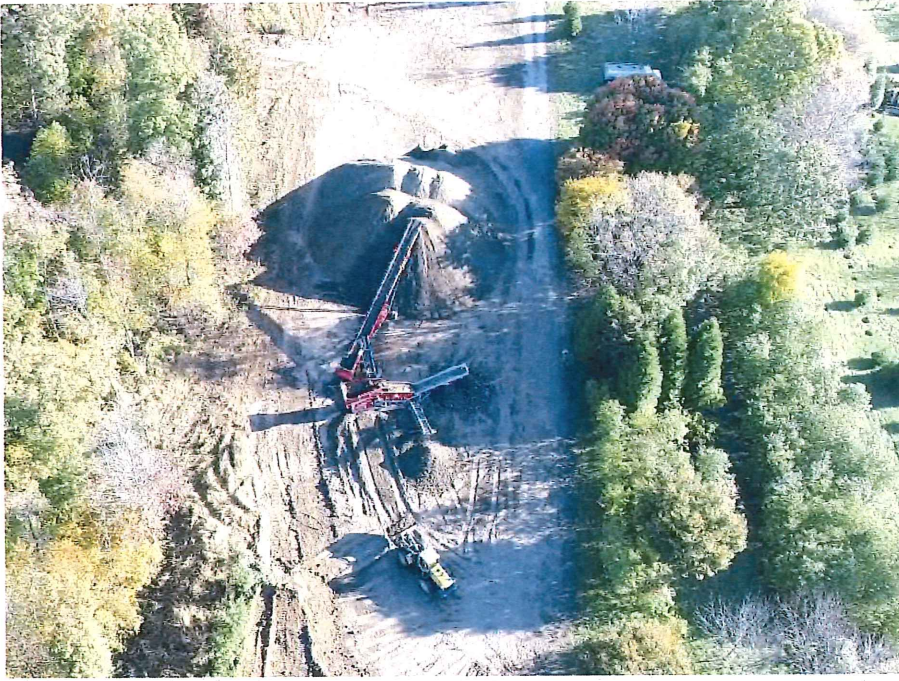
Thanks once again to County Executive Kittleman and CB60 authors Sigaty and Fox, here is sampling of what lies ahead on farmland throughout Howard County. Only thing missing is what is to come when we add to these photos industrial composting with food waste, animal mortality and manure that can be trucked in to create new levels of pestilence to contaminate our groundwater and put our families at risk for disease and, of course, noxious odors emanating from these piles.

Take a look at these recent photos below (also attached) showing activities ongoing at Bonner/Oak Ridge (MD ag preserve as farmland in perpetuity per the terms of the program), and write to County Executive Kittleman, who owns CB60, and Council Members Sigaty and Fox who authored it, to tell them which of these looks like legitimate farming operations. If you think none support true farming activities, then you are right. They are purely industrial processing despite what these three continue to claim are "not industrial activities." We asked before and ask again for them to publicly defend their position on the issue. The closest we can come to an explanation, and a bad one at that, was Council Member Sigaty's response to a related question at a public meeting (Glory Days) to say that these types of activities are not industrial but commercial, but was unable to explain what defines the difference. Ridiculous. DPZ calls some of it "accessory" use, but the definition of that is wide open and subject to interpretation, but likely not enforcement. While we all support true farming, this is clearly NOT farming. The first shows different mulch piles, the second shows an ongoing land clearing debris transfer station, and the newest in the series of multi-year zoning violations shows soil processing/strip mining. All what is headed to a farm near you if CB60 passes without amendments.

Now take at the last photo from the Orndorff farm (Howard County ag preserve) to see what has resulted from likely thousands of 3-axle dump trucks over a five month span, the start coinciding with public release of CB60 (very interesting coincidence) that has caused anger and concern from many residents in the town of Dayton where the farm is located. Again, we sight safety concerns with so many of us witnessing these trucks speeding, trucks crossing the yellow line on rural Ten Oaks and Howard Roads, and these 3-axle dump trucks passing each other heading in opposite directions on tight, windy rural roads (I have shown video of it all), with no room to spare for children waiting on the edge of these roads to board school buses each morning and exit them again in the afternoon. These dump trucks likely weighing 28-30 tons when carrying full loads, are running all day up and down these same rural roads creating a serious safety risk for our children.

We don't think this intensive five month effort to create what is depicted in the photo was all to support traditional crop farming. Could it be a foundation to support a home? Could it be a foundation to support commercial grade equipment for industrial processing such as soil/mulch/compost? Maybe. What we know by Orndorff's own claims is that he "follows the rules" (Bonner, on the other hand, does not). One thing is for sure, that this is the before photo. When CB60 is passed to create new rules for what is allowed, the after photo will likely tell a different story, and allow Orndorff to continue to follow the rules. Again, none of this is farming and will create health and safety risks despite County Executive Kittleman and CB60 authors' claims to the contrary.





Please email County Executive Kittleman (akittleman@howardcountymd.gov) and the County Council (councilmail@howardcountymd.gov) to call for major amendments to CB60 that will prohibit industrial processing of any kind on RR and RC throughout Howard County.

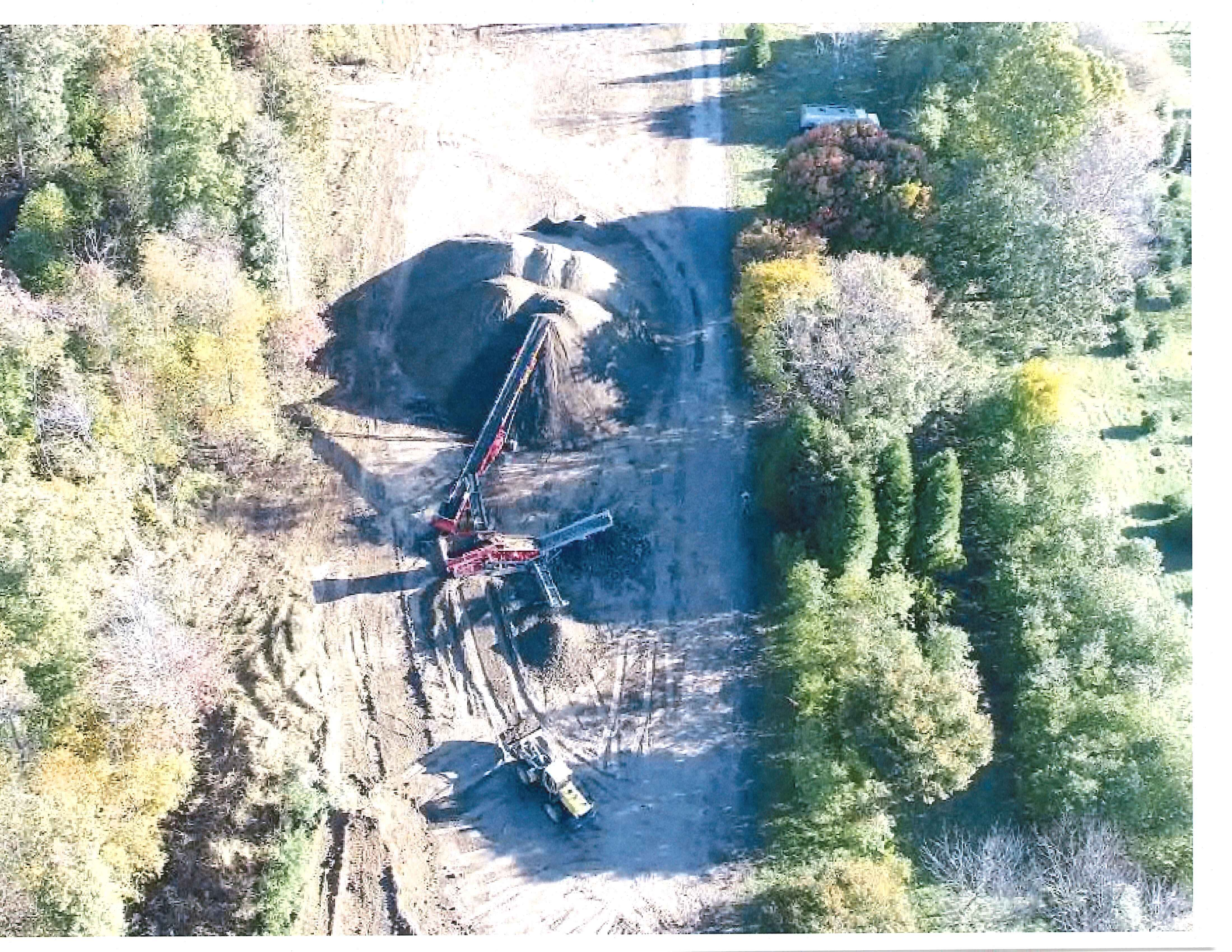
Thank you for distributing to your network.

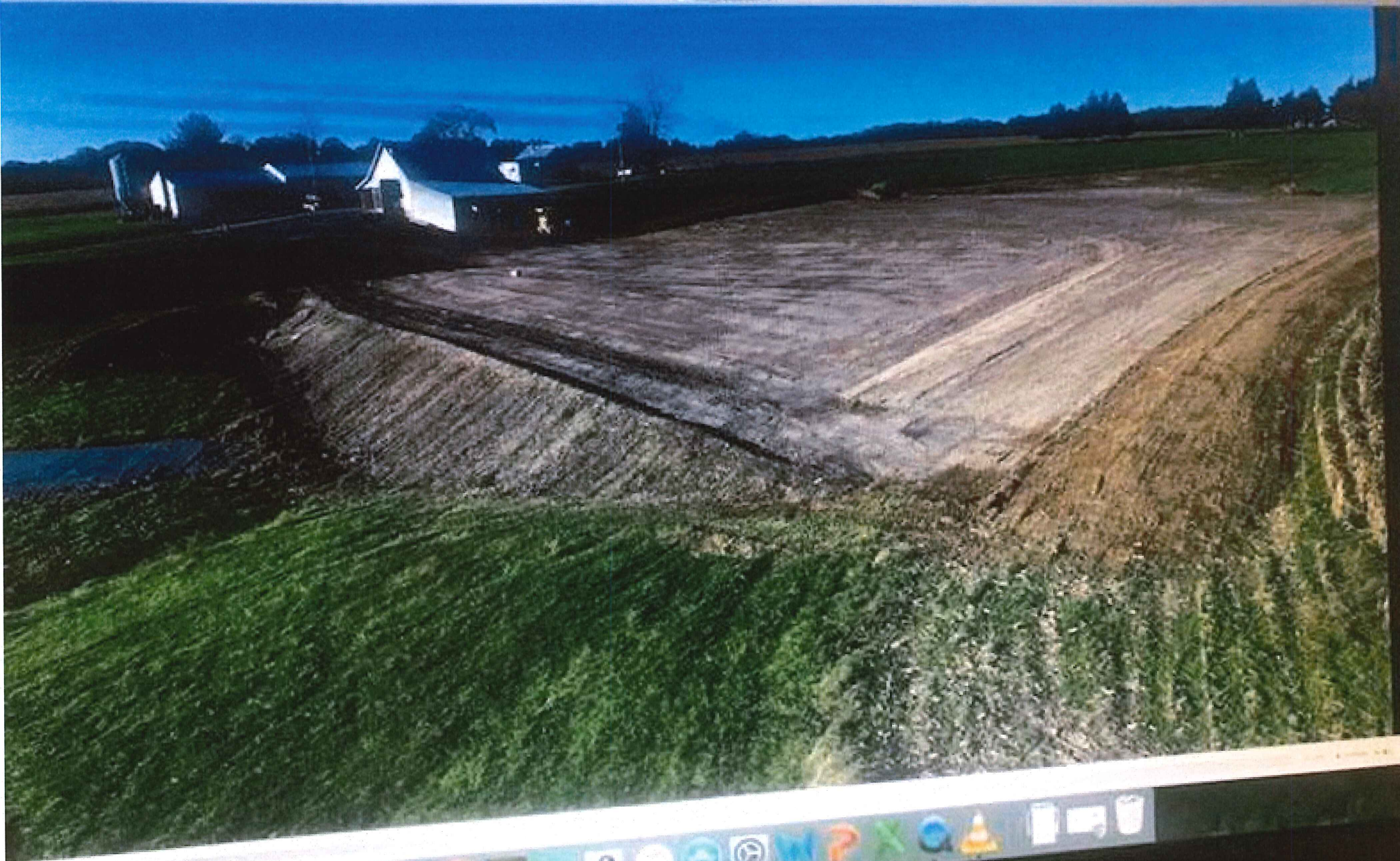
John Tegeris, PhD
President, DRPS

"CB60: Don't Defend It, Amend It!"
Your voice and your vote matter. Elections are drawing near.









Sayers, Margery

From: carole mccann <carolemccann@hotmail.com>
Sent: Thursday, November 02, 2017 8:39 PM
To: CouncilMail
Subject: say NO to TYPE 2 Feedstock in compost

Amend CB60 to prevent Type 2 feedstock in compost, SAVE OUR GROUNDWATER!

Sayers, Margery

From: stukohn@verizon.net
Sent: Thursday, November 02, 2017 7:51 PM
To: CouncilMail; Kittleman, Allan; Wilson, B Diane; howard-citizen@yahoogroups.com
Subject: Fwd: Food for Thought

FYI,

I just wanted to share the following email below that I received from Councilwoman, Jen Terrasa. It is certainly appreciated as once again she has the courtesy to respond to an inquiry. As I have stated before that is all we ask even if the response to our concern(s) might be negative.

In this case, Councilwoman Terrasa was already ahead of the inquiry as she basically was asking similar questions to the Administration and the Economic Development Authority, approximately 10 1/2 hours prior to our inquiry. The questions that are being asked are important whereby the public should have the opportunity to obtain some insight.

Sincerely,

Stu Kohn
HCCA, President

Begin forwarded message:

From: "Terrasa, Jen" <jterrasa@howardcountymd.gov>
Date: November 2, 2017 at 8:55:54 AM EDT
To: "stukohn@verizon.net" <stukohn@verizon.net>
Subject: Re: Food for Thought

I share your concern and questions about these two new facilities in Howard County. See below or the email I sent to the administration yesterday asking for more information about these facilities and how they relate to cb60.

Jen Terrasa

Sent from my iPhone

Begin forwarded message:

From: jterrasa@howardcountymd.gov
Date: November 1, 2017 at 10:14:01 AM EDT
To: "akittleman@howardcountymd.gov" <akittleman@howardcountymd.gov>, Valdis Lazdins <vlazdins@howardcountymd.gov>, "Lawrence F. Twele" <ltwele@hceda.org>
Subject: North American Biodigestion Facilities In Howard County

Good morning, Mr. Kittleman, Mr. Lazdins, and Mr. Twele,

<https://www.howardcountymd.gov/News/ArticleID/1015/>

I read the this news release with great interest. As you noted, it has the potential to offer benefits to the county. I have a few questions that I hope you can help me with.

1. Where will this be located?
2. Where is it permitted under current zoning and land use regulations?

3. How, if at all, does cb60 impact this? In other words, where would it be permitted under existing law and does that change with the passage of cb60?

Shared via the [Google app](#)

Jen Terrasa

Sent from my iPhone

Jen Terrasa

Sent from my iPhone

On Nov 1, 2017, at 8:42 PM, "stukohn@verizon.net" <stukohn@verizon.net> wrote:

On the County Website there is an article about "Howard County selected as location for North American headquarters for BTS Bioenergy" – see - <https://www.howardcountymd.gov/News/ArticleID/1015/News103117>. The last sentence in the article states, "BTS Bioenergy is not currently disclosing the specific site locations for its North American headquarters or bio-digester facilities."

How does this new development affect CB60 – Mulching, Composting and Natural Wood Waste. Shouldn't we know or when will we find out where these sites will be located in Howard County? Will they be close to residents? Will they generate noise? Are there any safety or health risks?

We just need to be sure that all and any risks (if any) are completely examined prior to any installation of such facilities.

Will anyone of our elected officials please answer the mail?

Sincerely,

Stu Kohn
HCCA, President

Sayers, Margery

From: Sigaty, Mary Kay
Sent: Thursday, November 02, 2017 5:25 PM
To: Sayers, Margery
Subject: FW: CB60-2017 and Dayton property

For the record.

--

Mary Kay Sigaty
Howard County Council Member
District 4
3430 Court House Drive
Ellicott City, MD 21043
410-313-2001

From: David Plummer <dplummer@howardcountymd.gov>
Date: Thursday, November 2, 2017 at 9:00 AM
To: "Sigaty, Mary Kay" <mksigaty@howardcountymd.gov>
Subject: RE: CB60-2017 and Dayton property

Good Morning Mary Kay,

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If you look closely at the second photo, which looks like an aerial from Google Earth or similar program, you will see the gullyng that was occurring in this section of field due to the slopes (the crooked line running down the middle of the field). The fact that this shows up on an aerial photo indicates that it was a pretty significant problem. This gullyng means that sediment was being transported downstream on a regular basis. I believe the majority of this area was simply planted to grass in an attempt to stabilize it, as opposed to crops. Geotextile material is used on a variety of conservation and stabilization projects.

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I don't see any correlation between this conservation practice and CB60-2017? We help landowners with conservation practices like this all the time, and it has nothing to do with mulch or compost. Thanks for sharing this with me, I hope you have a great day! - David

David C. Plummer, District Manager
Howard Soil Conservation District
14735 Frederick Road
Cooksville, MD 21723
410-313-0680; www.howardscd.org

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Good Morning David,

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Thanks.....MK

Mary Kay Sigaty
Howard County Council Member
District 4

3430 Court House Drive
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Subject: CB60-2017 and Dayton property

Council Members,

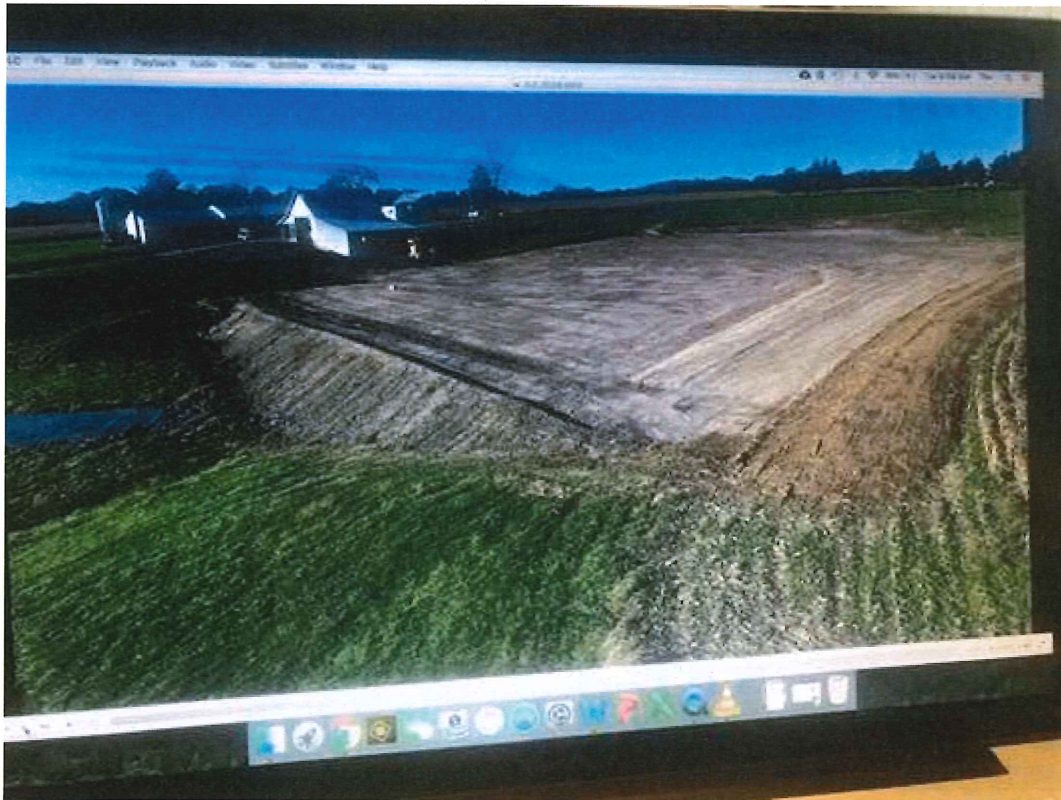
Please see the attached aerial photo, i.e., JBRK property Dayton.jpg.

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See also the attached photo, i.e., Prior to Fill.jpeg. That same section of property has been used for crop production. It may be this section of property is being prepared for some commercial operation not currently allowed under Howard County regulations.

Is this what Mr. Kittleman has intended with CB60-2017?

Best Regards,
Jim Nickel
Dayton, MD



Sayers, Margery

From: Sunnyside1998@aol.com
Sent: Thursday, November 02, 2017 10:24 AM
To: CouncilMail
Subject: CB60

Dear Council,

While we appreciate your efforts to stop the "Bad Actor" here in Woodbine we don't feel there are sufficient amendments with CB60 to protect citizens from mulch and composting activities. The grinding and turning of these large quantities of material disperse bioaerosols that travel for miles. People living nearby, downwind and on lower elevation have experienced the brunt of this mulch and compost manufacturing.

Our neighbors, tenants, horse boarders, pets and livestock have experienced respiratory and ophthalmic issues correlating with this "Bad Actor's" operations for almost a decade now. The noise, odors, insects and truck traffic has been horrendous. We live in fear that our wells are or soon will be contaminated.

We oppose CB60 because even with amendments we don't feel you can stop the "Bad Actors". I know of no true farmers that have been stopped from composting their manure or wood waste since CB20 was passed. Most farmers are not interested in composting, mulch or soil processing.

Much appreciation for your efforts.

Sincerely,

Leslie Long

Sayers, Margery

From: John Tegeris <johntegeris@gmail.com>
Sent: Thursday, November 02, 2017 12:25 AM
To: CouncilMail; Kittleman, Allan; Lazdins, Valdis; Gowan, Amy; Peter Jensen; pwood@baltsun.com; mdzwonchyk@baltsun.com; aburnett@wjz.com; Kim Dacey; srorman@sbgvtv.com; bzumer@sbgvtv.com; ambarnett@sbgvtv.com; Ted Mariani; Rick Lober/Annette; Brent Loveless; Stu Kohn; Rob Long; Preserve Dayton; Velculescu Victor; Jeff Harp; Jeff Harp; Luv of My Life; andrew.green@baltsun.com; John Tegeris
Cc: Tim Mayer; Mike Navarre/Lynn; Bethany Hooper; Rob Bundy; Dan O'Leary; Andrew Royle; Lisa Markovitz; Susan Garber; Carol Jane Gray; Ocheltree Janet; Erin Allen; John Allen; Al Risdorfer; Bono Tony V; Paul Morris; Paul Retzbach; Colleen Retzbach; Kristin Robertson; Lora Houck; Trip Kloser; Craig Ostrom; Julius Tunji Akintade; Chelakara Shankar; James Nickel; Banwarth Dave; dave.kromer@tunnellgov.com; Sylvie Leary; Alan Schneider; Paul Shoffeitt; Mike Bucci; Robert Scales; China Williams; Katie Hester; Mike; Patricia Soffen; Joanne Heckman; <darbus37@gmail.com>; Jennifer Bush; SHARON KEENY; tilycog@comcast.net; cathydatz@yahoo.com; Richard Valentine; Belkacem Manseur; Alex Xu; Richard Taber; Phil Montag; <bstrickland@wtplaw.com>; ST Balimtas; Michael Burns; Paul Retzbach; <fernandesgj@washpost.com>; Eric Goldberg; <benabili@hotmail.com>; Rob Bovello; Paul Robertson; Michael Price; Doug Lee; Jay and Santa Bhalani; Ajay soodan; jmathew@acidd.us; Om Prakash Gupta; <jthensel61@gmail.com>; Benjamin Lee; <joelhouch66@yahoo.com>; Ty Shrader; sdwerlinich@aol.com; Williams; Z Zhang; Brian Lehman; Lisa Valentine; Denise Howze; Hafida Manseur; Ning Hu; dianawscases@gmail.com; Richard and Susan Taber; Marisa Montag; <estrackland@offitkurman.com>; Robin Balimtas; Kathy Burns; Home; Dahna Goldberg; Michelle Meney; <jmbovello@comcast.net>; Delia Velculescu; Annette Lober; rajput31@yahoo.com; Melissa and Larry Kramer; Jyoti Gupta; <s.hensel@live.com>; Carol Werlinich; Mirra Morris; Sally Ostrom; Karen K; Laurie Lehman; kf321jump@verizon.net; Paul Capodanno
Subject: CB60: County Executive Kittleman - Stop Dragging Us through the Mulch

Well, here's a new twist. Apparently there is a way to process food waste in a closed environment after all. County Executive Kittleman and Council Members Sigaty and Fox: maybe we're not as crazy as you like to make us out to be. With the possibility of a solution such as bio-digestion recycling facilities, why put forth a bill as poor as CB60 that will allow open landfills to pop up all over Howard County, and put rural communities at risk for health and safety concerns? Here's even another possible sustainable solution: responsibly grow county run landfills such as Alpha Ridge.

With regards to the bio-digestion recycling facility, this is obviously new information (please see the link below), and we certainly haven't had time to do due diligence looking into the potential health and safety impact of these facilities. The mere existence, however, of this technology in what appears to be a closed environment, tends to support that there are better solutions than putting our families at risk for carcinogens, heavy metals/neurotoxins, endospores, fires, noise, odor and, of course, tractor-trailers and 3-axle trucks up and down our rural roads all day and all weekend long (did I miss anything?).

<https://www.howardcountymd.gov/News/ArticleID/1015/News103117>

We are by no means saying that the biogas solution would eliminate all the risks associated with industrial mulching and composting, but the bill by the Careless Three and their supporting cast from DPZ doesn't even give the residents of Howard County a fighting chance.

Please email County Executive Kittleman (akittleman@howardcountymd.gov) and the County Council (councilmail@howardcountymd.gov) to tell them that we deserve better than CB60.

Thank you for distributing to your network.

John Tegeris, PhD
President, DRPS

"CB60: Don't Defend It, Amend It!"
Your voice and your vote matter. Elections are drawing near.

Sayers, Margery

From: Kenneth Harman <kenbh2008@hotmail.com>
Sent: Wednesday, November 01, 2017 9:21 PM
To: CouncilMail; Kittleman, Allan; Lazdins, Valdis; Gowan, Amy; peter.jensen@baltsun.com; pwood@baltsun.com; mdzwonchyk@baltsun.com; aburnett@wjz.com; kdacey@hearst.com; srorman@sbgvtv.com; bzumer@sbgvtv.com; ambarnett@sbgvtv.com; theodore.f.mariani@me.com; rick.lober@gmail.com; brentloveless@aol.com; stukohn@verizon.net; sunnyside1998@aol.com; daytonsociety@gmail.com; velculescu@gmail.com; jabh@outlook.com; jeffandbhakti@hotmail.com; lctegeris@gmail.com; andrew.green@baltsun.com; johntegeris@gmail.com
Subject: CB60

All,

After attending meetings and conversing with knowledgeable people regarding CB60, I am opposed to CB60.

Ken Harman
2335 Woodbine Rd.
Woodbine, MD 21797

Sayers, Margery

From: stukohn@verizon.net
Sent: Wednesday, November 01, 2017 8:42 PM
To: Kittleman, Allan; Wilson, B Diane; CouncilMail; howard-citizen@yahoogroups.com
Subject: Food for Thought

On the County Website there is an article about “Howard County selected as location for North American headquarters for BTS Bioenergy” – see - <https://www.howardcountymd.gov/News/ArticleID/1015/News103117>. The last sentence in the article states, “BTS Bioenergy is not currently disclosing the specific site locations for its North American headquarters or bio-digester facilities.”

How does this new development affect CB60 – Mulching, Composting and Natural Wood Waste. Shouldn't we know or when will we find out where these sites will be located in Howard County? Will they be close to residents? Will they generate noise? Are there any safety or health risks?

We just need to be sure that all and any risks (if any) are completely examined prior to any installation of such facilities.

Will anyone of our elected officials please answer the mail?

Sincerely,

Stu Kohn
HCCA, President

Sayers, Margery

From: James Nickel <james.nickel55@gmail.com>
Sent: Wednesday, November 01, 2017 7:45 PM
To: CouncilMail
Cc: Kittleman, Allan; Lazdins, Valdis
Subject: CB60-2017 and Dayton property

Council Members,

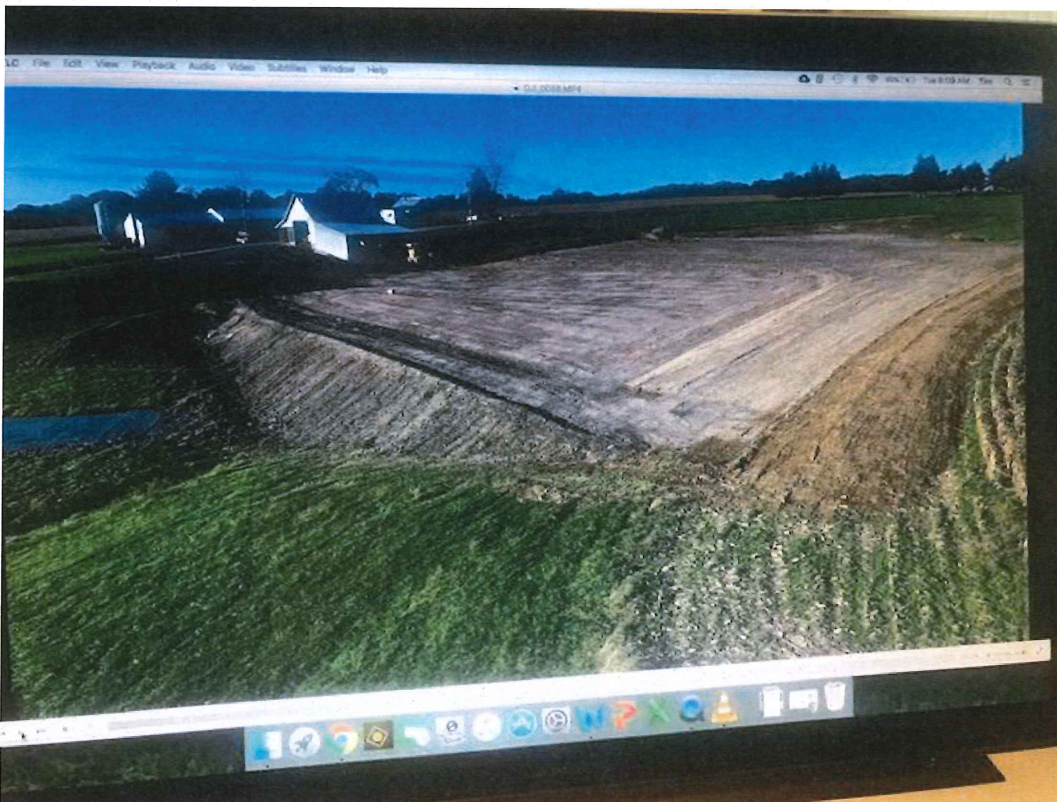
Please see the attached aerial photo, i.e., JBRK property Dayton.jpg.

You can see at the edges of the fresh dirt what appears to be an application of Geotextile Fabric. Frequently used for roadway or driveway stabilization or leachate containment. On top of that is a white material, possibly crushed stone. That is hardly conducive to farming. Is that allowed on Howard County Preservation property? It even looks as if some crop was destroyed to accomplish this effort.

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Is this what Mr. Kittleman has intended with CB60-2017?

Best Regards,
Jim Nickel
Dayton, MD





Sayers, Margery

From: Williams <rawmlw@gmail.com>
Sent: Wednesday, November 01, 2017 4:17 PM
To: CouncilMail; Lazdins, Valdis; Gowan, Amy; Kittleman, Allan
Subject: CB60 and Industrial Mulching/Composting Threat

Importance: High

To those who support this proposed bill which should have been shut down three years ago,

It is unethical that you are poised to ignore this proposed zoning violation and risk the contamination of wells on farms, businesses, and residences, the contamination of the air, the health threats to residents, farmers, and employees in the surrounding area, and the hazard of the greatly-increased volume of industrial trucks on rural roads. These risks are well documented and cannot be disregarded. If that is not enough cause for concern, the lack of response and support from DPZ is appalling.

CB60, owned by County Executive Kittleman and created by Council Members Sigaty and Fox, along with DPZ leadership, creates even greater risks for groundwater contamination, not just due to heavy metals contaminating the drinking water but now with the risk of high microbial activity in groundwater due to CB60's allowance of food waste, animal carcasses, and manure (Type 2 feedstock) to be trucked in for processing as part of INDUSTRIAL composting on the farmland then trucked out for COMMERCIAL scale. This will result in increased disease burden, translating into a higher risk of infection for everyone in proximity to these INDUSTRIAL operations. These types of INDUSTRIAL processing activities which would be allowable in an AGRICULTURAL-PRESERVE zone under CB60 have nothing to do with legitimate farming and will be ongoing with no end in sight, given the ability to continuously truck in starting materials in the form of wood waste, food waste and/or animal waste.

No matter how long this impasse continues, we will not stand by and accept this attempt to bend the zoning rules which will result in contamination of farmland with industrial mulch and composting facilities under the guise of a "go green" initiative so that RLO, and other commercial and industrial companies, can manage landfill growth when in fact this type of growth should be officially managed through thoughtful expansion of county-run FACILITIES SUCH AS ALPHA RIDGE. Do NOT mix INDUSTRIAL and COMMERCIAL activity with AGRICULTURAL PRESERVE zones!

Finally, kudos to those who intend to do the right thing and vote against CB60!

Monica Williams
Dayton

Sayers, Margery

From: John Tegeris <johntegeris@gmail.com>
Sent: Wednesday, November 01, 2017 2:06 AM
To: CouncilMail; Kittleman, Allan; Lazdins, Valdis; Gowan, Amy; Peter Jensen; pwood@baltsun.com; mdzwonchyk@baltsun.com; aburnett@wjz.com; Kim Dacey; srorman@sbgvtv.com; bzumer@sbgvtv.com; ambarnett@sbgvtv.com; Ted Mariani; Rick Lober/Annette; Brent Loveless; Stu Kohn; Rob Long; Preserve Dayton; Velculescu Victor; Jeff Harp; Jeff Harp; Luv of My Life; andrew.green@baltsun.com; John Tegeris
Cc: Tim Mayer; Mike Navarre/Lynn; Bethany Hooper; Rob Bundy; Dan O'Leary; Andrew Royle; Lisa Markovitz; Susan Garber; Carol Jane Gray; Ocheltree Janet; Erin Allen; John Allen; Al Risdorfer; Bono Tony V; Paul Morris; Paul Retzbach; Colleen Retzbach; Kristin Robertson; Lora Houck; Trip Kloser; Craig Ostrom; Julius Tunji Akintade; Chelakara Shankar; James Nickel; Banwarth Dave; dave.kromer@tunnellgov.com; Sylvie Leary; Alan Schneider; Paul Shoffeitt; Mike Bucci; Robert Scales; China Williams; Katie Hester; Mike; Patricia Soffen; Joanne Heckman; <darbus37@gmail.com>; Jennifer Bush; SHARON KEENY; tilycog@comcast.net; cathydatz@yahoo.com; Richard Valentine; Belkacem Manseur; Alex Xu; Richard Taber; Phil Montag; <bstrickland@wtplaw.com>; ST Balimtas; Michael Burns; Paul Retzbach; <fernandesgj@washpost.com>; Eric Goldberg; <benabili@hotmail.com>; Rob Bovello; Paul Robertson; Michael Price; Doug Lee; Jay and Santa Bhalani; Ajay soodan; jmathew@acidd.us; Om Prakash Gupta; <jthensel61@gmail.com>; Benjamin Lee; <joelhouck66@yahoo.com>; Ty Shrader; sdwerlinich@aol.com; Williams; Z Zhang; Brian Lehman; Lisa Valentine; Denise Howze; Hafida Manseur; Ning Hu; dianawscases@gmail.com; Richard and Susan Taber; Marisa Montag; <estrackland@offitkurman.com>; Robin Balimtas; Kathy Burns; Home; Dahna Goldberg; Michelle Meney; <jmbovello@comcast.net>; Delia Velculescu; Annette Lober; rajput31@yahoo.com; Melissa and Larry Kramer; Jyoti Gupta; <s.hensel@live.com>; Carol Werlinich; Mirra Morris; Sally Ostrom; Karen K; Laurie Lehman; kf321jump@verizon.net; Paul Capodanno
Subject: CB60 and Industrial Mulching/Composting: "MDE, or not to MDE, that is the question"

In June 2014, I testified before the County Council in response to Resolution 74-2014, a resolution creating a task force to study mulching, composting and wood processing policies and regulations, to request that both MDE and MALPF be included as part of the Mulch Task Force. For one reason or another, this request was denied.

After 24 exhaustive Mulch Task Force 3-hour meetings over the span of a year, we find ourselves further behind than when we started back in 2014. We believe that, if MDE had participated in the Mulch Task Force, much more would be officially on record and better understood about the risks of heavy metals groundwater contamination affecting our drinking water.

Given the serious concerns over health and safety risks to communities nearby to industrial mulching (NWWR) and composting operations taken together with the timing for the upcoming legislative vote for CB60, we are following up on our initial request to MDE for their official comments regarding the NY State groundwater quality report given NWWR facilities will result in heavy metals (i.e., manganese) contamination to groundwater, a fact well established in the NY State report (see letter to MDE, Secretary Grumbles, copied below). The risks are even greater when one now considers the county's desire to manage landfill growth by peppering the farmland with industrial mulch and composting facilities under the guise of a "go green" initiative, when in fact this type of growth should be officially managed through thoughtful expansion of county run facilities such as Alpha Ridge.

CB60, owned by County Executive Kittleman and created by Council Members Sigaty and Fox, along with DPZ leadership, creates even greater risks for groundwater contamination, not just due to heavy metals contaminating our drinking

water but now with the risk of high microbial activity in groundwater due to CB60's allowance of food waste, animal mortality and manure (Type 2 feedstock) to be trucked in for processing as part of industrial composting on the farmland then trucked out for commercial scale. This will result in increased disease burden, translating into a higher risk of infection for everyone that resides in proximity to these industrial operations. These types of industrial processing activities allowable under CB60 have nothing to do with legitimate farming and will be ongoing with no end in sight given the ability to continuously truck in starting materials in the form of wood waste, food waste and/or animal waste.

With discussions that continued on CB60 at the October 16 County Council Open Work Session, MDE finally made an appearance, but unfortunately did not comment on the risks of groundwater contamination due to industrial mulching and composting operations, but, rather, focused on permit related activities and the nature in which it handles complaints. We eagerly await MDE's official response.

Please email County Executive Kittleman (akittleman@howardcountymd.gov) and the County Council (councilmail@howardcountymd.gov) and tell them to say no to CB60 unless major amendments are included that provide safeguards to protect the health and safety of your families.

Thank you for distributing to your network.

John Tegeris, PhD
President, DRPS

"CB60: Don't Defend It, Amend It!"
Your voice and your vote matter. Elections are drawing near.

October 31, 2017

Benjamin H. Grumbles

Secretary of the Environment

Office of Secretary

Department of the Environment

Montgomery Park Business Center

1800 Washington Blvd.

Baltimore, Maryland 21230

Re: Natural Wood Waste Recycling Concern and New York State Organic Waste Sites Investigation Studies

Dear Secretary Grumbles,

As a toxicologist and previous owner of an analytical chemistry laboratory in Howard County that serviced the environmental and pharmaceutical industries, I am very concerned with the current legislation for Howard County CB60-2017 given that it will allow for industrial processing and commercial sale of mulch and compost with Type 2 materials (food waste, animal mortality and manure) in RR and RC throughout the county.

In 2014, the Howard County local government organized a task force of residents to look into issues associated with mulch manufacturing. One of the environmental issues identified relates to ground water contamination, specifically from radionuclides and manganese. This information was obtained from a 2013 joint investigation report between the New York Department of Environmental Conservation (NYDEC) and Suffolk County Department of Health Services (SCDHS). Subsequently, the Task Force wrote to the Maryland Department of the Environment (MDE) and requested answers to some questions. One comment that was received from the MDE was that they were aware of a credible study by the State of New York that found elevated levels of manganese at multiple vegetative organic waste sites, but they were still in the process of reviewing that information.

A second follow up study was performed in 2016 by the SCDHS that unequivocally identified groundwater manganese contamination at all properly sited vegetative organic waste sites located in Suffolk County. Of the 11 facilities that were tested, some facilities only performed mulch manufacturing, although it is noted that vegetative organic material in general causes the problem. This report can be found online at:

http://www.suffolkcountyny.gov/Portals/30/reports/2016/groundwaterquality_report_012216.pdf

The 2016 investigation report was also provided to the MDE and no response has yet to be received for either report. I am requesting that the MDE provide a direct response and opinion to the review of both of these reports as the Howard County Government believes that there are no environmental issues related to these organic waste/organic recycling facilities. It is understandable that the MDE may not be able to immediately solve the problem or have an exact answer as to why the contamination is occurring, but the MDE should acknowledge organic waste sites can be an issue and that there is clear evidence supporting the cause and effect relationship. By ignoring this, the MDE may be unintentionally providing reassurance to the counties that these organic waste operations do not cause groundwater contamination. Because of this, residents relying on groundwater supply near these facilities may be harmed due to the well documented medical risks in the medical literature that link heavy metals groundwater contamination to neurological disorders and toxicity.

We would also like you to comment on the potential concerns for disease burden and risk of infection that results from high microbial activity due to food waste and animal waste (Type 2 feedstock) added into composting operations. We only have to look as far as the enforcement action brought by MDE against Recycled Green in Woodbine (Carroll County) that resulted in a \$50,000 fine for compost with food waste resulting in high microbial

activity in the groundwater nearby to that industrial processing facility (2011-2013) to validate our concerns over the medical risks. We look forward to receiving your written response. Thank you.

Best,

John Tegeris, Ph.D.

President, DRPS

cc: Alan Kittleman, Howard County Executive
 Jon Weinstein, Howard County Council Chair
 Dr. Calvin Ball, Howard County Council Member
 Jen Terrasa, Howard County Council Member
 Mary Kay Sigaty, Howard County Council Member
 Greg Fox, Howard County Council Member
 Senator Robert Flanagan
 State Delegate Warren Miller
 State Delegate Trent Kittleman



1114 Shawan Road, Suite 1, Cockeysville, MD 21030
futureharvestcasa@gmail.com
www.futureharvestcasa.org
(410) 549-7878

October 16, 2017

RE: CB 60

Dear Howard County Councilman,

On behalf of Future Harvest: Chesapeake Alliance for Sustainable Agriculture – an 800-member organization working to advance profitable and Bay-friendly agriculture – I am submitting this written testimony supporting CB 60. Current Howard County zoning is too restrictive for farmers wanting to compost on their farms. Composting is a critical accessory activity to farming that allows farmers to thrive, build healthy soil vital to our planet, and provide nutritious food to our community.

Composting is the best source of organic matter that builds healthy soil. Rather than sending organic material to a landfill or incinerator, contributing to ecologically harmful methane emissions, the passage of CB 60 will allow farmers to maintain soil integrity, minimize losses to erosion and drought, and harness the economic and environmental benefits of healthy soil.

Indeed, the new MD Healthy Soils Program Act promotes the widespread use of healthy soils practices among farmers in Maryland. Increasing soil organic matter is specifically named, along with the ability of soil to sequester carbon and reduce greenhouse gas emissions. Because of their intimate knowledge of soils, farmers are perhaps the most appropriate stewards of the composting process.

CB 60 incorporates the Maryland Department of the Environment's (MDE) 2015 composting regulations and the findings of a 2014 Task Force that was created to study mulching, composting and wood processing policies and regulations with respect to Howard County land use, planning processes and Zoning Regulations. The Permit for Special Farm Uses and Conditional Uses proposed in CB 60 appears clearly defined, well thought out, and outlines conditions designed to minimize any potential impacts; further county restrictions are unwarranted. The County should solicit the support of MDE to assure citizens that these regulations are achieving their intended goals of protecting people and the environment, and that any breaches will be addressed promptly.

Thank you for the opportunity to submit this testimony.

Dena Leibman

Dena Leibman, Executive Director, Future Harvest CASA

Sayers, Margery

From: John Tegeris <johntegeris@gmail.com>
Sent: Tuesday, October 31, 2017 12:59 AM
To: CouncilMail; Kittleman, Allan; Lazdins, Valdis; Gowan, Amy; Peter Jensen; pwood@baltsun.com; mdzwonchyk@baltsun.com; aburnett@wjz.com; Kim Dacey; srorman@sbgvtv.com; bzumer@sbgvtv.com; ambarnett@sbgvtv.com; Ted Mariani; Rick Lober/Annette; Brent Loveless; Stu Kohn; Rob Long; Preserve Dayton; Velculescu Victor; Jeff Harp; Jeff Harp; Luv of My Life; andrew.green@baltsun.com; John Tegeris
Cc: Tim Mayer; Mike Navarre/Lynn; Bethany Hooper; Rob Bundy; Dan O'Leary; Andrew Royle; Lisa Markovitz; Susan Garber; Carol Jane Gray; Ocheltree Janet; Erin Allen; John Allen; Al Risdorfer; Bono Tony V; Paul Morris; Paul Retzbach; Colleen Retzbach; Kristin Robertson; Lora Houck; Trip Kloser; Craig Ostrom; Julius Tunji Akintade; Chelakara Shankar; James Nickel; Banwarth Dave; dave.kromer@tunnellgov.com; Sylvie Leary; Alan Schneider; Paul Shoffeitt; Mike Bucci; Robert Scales; China Williams; Katie Hester; Mike; Patricia Soffen; Joanne Heckman; <darbus37@gmail.com>; Jennifer Bush; SHARON KEENY; tilycog@comcast.net; cathydatz@yahoo.com; Richard Valentine; Belkacem Manseur; Alex Xu; Richard Taber; Phil Montag; <bstrickland@wtplaw.com>; ST Balimtas; Michael Burns; Paul Retzbach; <fernandesgj@washpost.com>; Eric Goldberg; <benabili@hotmail.com>; Rob Bovello; Paul Robertson; Michael Price; Doug Lee; Jay and Santa Bhalani; Ajay soodan; jmathew@acidd.us; Om Prakash Gupta; <jthensel61@gmail.com>; Benjamin Lee; <joelhouck66@yahoo.com>; Ty Shrader; sdwerlinich@aol.com; Williams; Z Zhang; Brian Lehman; Lisa Valentine; Denise Howze; Hafida Manseur; Ning Hu; dianaw scales@gmail.com; Richard and Susan Taber; Marisa Montag; <estrackland@offitkurman.com>; Robin Balimtas; Kathy Burns; Home; Dahna Goldberg; Michelle Meney; <jmbovello@comcast.net>; Delia Velculescu; Annette Lober; rajput31@yahoo.com; Melissa and Larry Kramer; Jyoti Gupta; <s.hensel@live.com>; Carol Werlinich; Mirra Morris; Sally Ostrom; Karen K; Laurie Lehman; kf321jump@verizon.net
Subject: CB60: Victor Velculescu, MD, PhD, Speaking at the County Council Work Session - Request Denied

While we remain disappointed that our medical expert and renowned oncologist, Dr. Velculescu, will not be given the opportunity to speak before the County Council on the serious medical risks associated with industrial mulching and composting (with food/animal mortality/manure; enter high disease burden in the groundwater your children drink), there are always silver linings to give us hope that we will get major amendments included into CB60 one way or another. We say this whether key amendments are voted into CB60 at the County Council legislative vote on November 6, or by other means should CB60 fall far short of what is needed to protect our families.

The silver lining we speak of is evident in the email exchange forwarded below from earlier today between Council Member Terrasa and Stu Kohn, President of HCCA, which questions why the County Council ultimately decided not to allow Dr. Velculescu to appear before them to further discuss the associated health risks from industrial mulching and industrial composting with food/animal waste, and provides the unfortunate answer if you oppose CB60 due to the many well-established health and safety concerns.

Additionally, we heard back last night from Council Member Jon Weinstein's office that we would not be granted the opportunity to meet with Council Members Weinstein and Sigaty this week, as requested, given that the County Council was unable to accommodate Dr. Velculescu when available originally on Oct 11 and again on Oct 23. This meeting was to include our core team along with Dr. Velculescu and our groundwater expert, all of whom strongly oppose industrial processing of mulch/compost anywhere in Howard County (RR, RC, M1/M2) that could put families residing nearby to these industrial operations at risk for health and safety concerns.

Please email Council Executive Kittleman (akittleman@howardcountymd.gov) and the County Council (councilmail@howardcountymd.gov) to tell them these health and safety risks are real, and to call for major amendments.

Thank you for distributing to your network.

John Tegeris, PhD
President, DRPS

"CB60: Don't Defend It, Amend It!"

Your voice and your vote matter. Elections are drawing near.

From: stukohn@verizon.net [HOWARD-CITIZEN] <HOWARD-CITIZEN@yahoogroups.com>
To: councilmail <councilmail@howardcountymd.gov>; akittleman <akittleman@howardcountymd.gov>; bdwilson <bdwilson@howardcountymd.gov>; howard-citizen <howard-citizen@yahoogroups.com>
Sent: Mon, Oct 30, 2017 8:54 pm
Subject: [HOWARD-CITIZEN] Re: Council Bill 60-2017 regarding mulch and composting

FYI,

We sincerely appreciate Councilwoman Jen Terrasa (see below) having the courtesy of responding to our question posted on the HCCA Listserve on Wed 10/25/2017 8:53 PM, titled, "All Key Witnesses Should Have Been Allowed to Testify at the Council's Work Session" (see below). This was in regards as to whether the County Council would permit Dr. Velculescu to testify in a public forum. Unfortunately he will not which is regrettable especially if one believes in transparency.

Once again we are very concerned that the overwhelming majority of our elected officials choose not to respond to our queries. Even if the response might be negative we at least request the politeness of answering to their constituents.

Sincerely,

Stu Kohn
HCCA, President

From: Terrasa, Jen [<mailto:jterrasa@howardcountymd.gov>]
Sent: Monday, October 30, 2017 3:38 PM
To: stukohn@verizon.net
Subject: Re: Council Bill 60-2017 regarding mulch and composting

Mr. Kohn,

Thank you for writing again. Please accept my apology for not answering your specific question the first time. As you can imagine, we are receiving an extraordinarily high volume of email on this piece of legislation, as well as on APFO, and keeping up with them is extremely difficult. I was the one who sent the email you referenced.

To answer your question, unfortunately, Dr. Velculescu will not be given an opportunity to participate in a work session on CB 60 at this point. When she found out that Dr. Velculescu was not available for the work session on mulch held on October 16th, Councilwoman Terrasa had asked that he be given the opportunity to address the Council at the work session on October 23rd or that the Council pick another date to have him come in. That request was turned down because others felt that if anyone had questions for him, they could contact him directly.

Jen is very disappointed that the scheduling didn't work out to allow him to provide further information at a public work session. She shares your concern about the health effects of mulching/composting, both for the issues that Dr. Velculescu discussed specifically, and also with regards to the well water that those in western Howard County depend on. As of right now, that is where the issue stands. Thank you very much for your thoughtful email.

Kindest regards,
Melissa

~~~~~  
**Melissa Affolter**  
**Chief of Staff to Councilwoman Jen Terrasa**  
**Howard County Council, District 3**  
**3430 Court House Drive || Ellicott City, MD 21043**  
**Office: 410.313.3108 || Fax: 410.313.3297**

\*\*\*\*\*

Wed 10/25/2017 8:53 PM

FYI,

The controversy regarding CB60-2017 (allowing certain composting facilities and emergency natural wood waste recycling facilities as accessory uses under certain conditions in certain Zoning Districts; allowing certain natural wood waste recycling facilities and composting facilities as a use permitted as a matter of right) is bad enough, but it becomes much worse when Dr. Victor Velculescu (Co-Director of Cancer Biology and Professor of Oncology and Pathology at the Johns Hopkins Kimmel Cancer Center) an expert witness was not permitted to testify by the County Council in their Work Session. What is the reason for this decision? The Council should have no reason to deny the Concerned Citizens this opportunity so they could at least hear and receive all pertinent information to aide in their final decision. A response from the Council would be appreciated as Dr. Velculescu should have been given the chance to speak. He was available regarding speaking about possible health issues which could be impacted because of the passage of CB60 on November 6.

Sincerely,

Stu Kohn,  
HCCA, President



**Sayers, Margery**

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**From:** stukohn@verizon.net  
**Sent:** Monday, October 30, 2017 8:54 PM  
**To:** CouncilMail; Kittleman, Allan; Wilson, B Diane; howard-citizen@yahoogroups.com  
**Subject:** Re: Council Bill 60-2017 regarding mulch and composting

FYI,

We sincerely appreciate Councilwoman Jen Terrasa (see below) having the courtesy of responding to our question posted on the HCCA Listserve on Wed 10/25/2017 8:53 PM, titled, "All Key Witnesses Should Have Been Allowed to Testify at the Council's Work Session" (see below). This was in regards as to whether the County Council would permit Dr. Velculescu to testify in a public forum. Unfortunately he will not which is regrettable especially if one believes in transparency.

Once again we are very concerned that the overwhelming majority of our elected officials choose not to respond to our queries. Even if the response might be negative we at least request the politeness of answering to their constituents.

Sincerely,

Stu Kohn  
HCCA, President

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**From:** Terrasa, Jen [<mailto:jterrasa@howardcountymd.gov>]  
**Sent:** Monday, October 30, 2017 3:38 PM  
**To:** [stukohn@verizon.net](mailto:stukohn@verizon.net)  
**Subject:** Re: Council Bill 60-2017 regarding mulch and composting

Mr. Kohn,

Thank you for writing again. Please accept my apology for not answering your specific question the first time. As you can imagine, we are receiving an extraordinarily high volume of email on this piece of legislation, as well as on APFO, and keeping up with them is extremely difficult. I was the one who sent the email you referenced.

To answer your question, unfortunately, Dr. Velculescu will not be given an opportunity to participate in a work session on CB 60 at this point. When she found out that Dr. Velculescu was not available for the work session on mulch held on October 16<sup>th</sup>, Councilwoman Terrasa had asked that he be given the opportunity to address the Council at the work session on October 23<sup>rd</sup> or that the Council pick another date to have him come in. That request was turned down because others felt that if anyone had questions for him, they could contact him directly.

Jen is very disappointed that the scheduling didn't work out to allow him to provide further information at a public work session. She shares your concern about the health effects of mulching/composting, both for the issues that Dr. Velculescu discussed specifically, and also with regards to the well water that those in western Howard County depend on. As of right now, that is where the issue stands. Thank you very much for your thoughtful email.

Kindest regards,  
Melissa

~~~~~  
Melissa Affolter

**Chief of Staff to Councilwoman Jen Terrasa
Howard County Council, District 3
3430 Court House Drive || Ellicott City, MD 21043
Office: 410.313.3108 || Fax: 410.313.3297**

Wed 10/25/2017 8:53 PM

FYI,

The controversy regarding CB60-2017 (allowing certain composting facilities and emergency natural wood waste recycling facilities as accessory uses under certain conditions in certain Zoning Districts; allowing certain natural wood waste recycling facilities and composting facilities as a use permitted as a matter of right) is bad enough, but it becomes much worse when Dr. Victor Velculescu (Co-Director of Cancer Biology and Professor of Oncology and Pathology at the Johns Hopkins Kimmel Cancer Center) an expert witness was not permitted to testify by the County Council in their Work Session. What is the reason for this decision? The Council should have no reason to deny the Concerned Citizens this opportunity so they could at least hear and receive all pertinent information to aide in their final decision. A response from the Council would be appreciated as Dr. Velculescu should have been given the chance to speak. He was available regarding speaking about possible health issues which could be impacted because of the passage of CB60 on November 6.

Sincerely,

Stu Kohn,
HCCA, President

Sayers, Margery

From: Jeffrey Hensel <jthensel61@gmail.com>
Sent: Monday, October 30, 2017 8:03 PM
To: CouncilMail; Kittleman, Allan; Lazdins, Valdis; Gowan, Amy; peter.jensen@baltsun.com; pwood@baltsun.com; mdzwonchyk@baltsun.com; aburnett@wjz.com; kdacey@hearst.com; Rick Lober; daytonsociety@gmail.com; John Tegeris; sorman@sbgvtv.com; bzumer@sbgvtv.com; ambarnett@sbgvtv.com; Carl Solomon; Susan; Kip French; Scott Coulson; Brett Taylor
Subject: The real issue

Let's make it clear up front. This issue boils down to one contention - do you really want Western Howard County to become industrial thereby potentially ruining it's glamour as of one of the most attractive regions of the state? This is not a farming issue. It is an issue of using the farmer as a front for establishing an industry.

farming - the activity or business of growing crops and raising livestock

Industrial - relating to the economic activity concerned with the processing of raw materials and manufacture of goods in factories

The two are diametrically different from one another in that farming is rooted in the production of food for consumption. Anything industrial involves the processing of what the earth provides and involves the transport of more raw materials to make goods also to be transported.

Our issue is not against the farmers or their trade. We are grateful for their trade and all they do for the state and, having grown up in Pennsylvania farmland, I greatly appreciate the hard work they do for us.

At question now is the changing landscape of Howard County - going against all that you have promised to the people you represent. We had this all taken care of in CB20. But for some reason you don't care to listen to the people who voted for you. Why? Is there something more that we don't know or that you won't tell us? This isn't a farming or farmer issue. This is the matter of allowing an industrial processing operation to proceed in our treasured environment. Is that really what you want?

Again, look at the definitions above. They speak for themselves. And if you don't consider them you are not only going back on your word to keeping the agricultural aspects of Howard County but you are ignoring the people of Howard County and their concerns they have for themselves. Will you really be able to live with that decision knowing what you would have done to the people who put you in office?

You've placed a significant burden on all of us to once again fight the same issue, creating more stress in our lives. If you proceed with CB60 the stress will only increase and the Howard County landscape will tarnish.

Jeff Hensel

Sayers, Margery

From: David Smith <dosmith99@gmail.com>
Sent: Monday, October 30, 2017 5:49 PM
To: Terrasa, Jen; CouncilMail
Subject: RE: Work session today

So I guess pushing this bill through is more important than the health and wellness of the citizens. I would think the council would want and go further to push to hear his testimony since he is an expert in this very subject.

On Oct 30, 2017 1:50 PM, "Terrasa, Jen" <jterrasa@howardcountymd.gov> wrote:

Mr. Smith,

Unfortunately, Dr. Velculescu will not be given an opportunity to participate in a work session on CB 60 at this point. When she found out that Dr. Velculescu was not available for the work session on mulch held on October 18th, Councilwoman Terrasa had asked that he be given the opportunity to address the Council at the work session on October 23rd or that the Council pick another date to have him come in. That request was turned down because others felt that if anyone had questions for him, they could contact him directly.

Councilwoman Terrasa is very disappointed that the scheduling didn't work out to allow him to provide further information at a public work session. She shares your concern about the health effects of mulching/composting, both for the issues that Dr. Velculescu discussed specifically, and also with regards to the well water that those in western Howard County depend on. As of right now, that is where the issue stands.

Kindest regards,

Melissa

~~~~~  
**Melissa Affolter**

**Chief of Staff to Councilwoman Jen Terrasa**

**Howard County Council, District 3**

**3430 Court House Drive || Ellicott City, MD 21043**

**Office: [410.313.3108](tel:410.313.3108) || Fax: [410.313.3297](tel:410.313.3297)**

**From:** David Smith [mailto:[dosmith99@gmail.com](mailto:dosmith99@gmail.com)]  
**Sent:** Saturday, October 28, 2017 8:30 PM  
**To:** CouncilMail <[CouncilMail@howardcountymd.gov](mailto:CouncilMail@howardcountymd.gov)>  
**Subject:** Re: Work session today

Please make an effort to hear Dr. Velculescu's testimony. I am very scared for my family that CB60 is a horrible for the health and wellness of my kids.

On Oct 16, 2017 6:40 PM, "David Smith" <[dosmith99@gmail.com](mailto:dosmith99@gmail.com)> wrote:

Council Members,

Today's work session was the biggest, most corrupt display of leadership I have ever witnessed in my life. You all should be ashamed of yourselves. Last minute change on the meeting so the Hopkins PHD expert can't talk about the health concerns. I can't believe you can sleep at night knowing what you're doing - undermining Howard County residents to support special interests. How in your right mind do you think that industrial mulching and composting right next to families is "forward thinking"? I can't believe I am going to have to move out of my home so my kids don't have to breath wood dust filled air and drink contaminated water. It is so baffling to me. You're either purposefully jeopardizing the health and wellness of residents or your just naive and stupid to see what is going on here.

I seriously hope you end this and voting NO to CB60. Maybe then you'll be able to sleep well at night..

David Smith

Dayton, MD Resident

## Sayers, Margery

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**From:** Paul Morris <PMorrisHome@verizon.net>  
**Sent:** Monday, October 30, 2017 1:24 PM  
**To:** CouncilMail; Kittleman, Allan  
**Cc:** pmorrishome@verizon.net  
**Subject:** PLEASE Eliminate CB60 or agree to major amendments to protect us and our children  
**Importance:** High

Council Executive Kittleman and County Council Members -

As a lifelong Howard County resident and now a Dayton resident along with my wife and two young kids, I URGE YOU ALL to PLEASE properly address these amendments below to CB60 or better yet eliminate it all together! The danger to our roads and health that CB60 introduces scares the you know what out of me and my family. We love it out here and have built our dream home. My entire family loves spending time outside and running and biking along our rural roads but CB60 will change all that! I almost got hit a few weeks ago by a large dump truck on Howard Rd by the Crossroads and it was not the 1<sup>st</sup> time. It was really scary and I can only imagine what will happen to runners and bikers and school kids and motorists in general if commercial sale of mulch and industrial mulching is allowed and these huge trucks are driving daily on our roads that have no shoulder and are not meant for these size trucks! Then there's the concern of airborne spores and contaminated well water, as well as selfishly the huge drop in my property value. If this goes through you're going to see a mass exodus from Howard County unfortunately and as someone that was born and raised here for the past 49 years that greatly upsets me. It really boggles my mind that our elected officials that are supposed to look out for the best interest of our citizens would even consider this. I mean really????

If CB60 cannot be eliminated completely then the following amendments must be made:

1. No NWWR on RR or RC in Howard County (no commercial sale of mulch, no large 3-axle/tractor trailer trucks carrying wood product in or mulch/logs off the farm).
2. No NWWR 'by right' on M1/M2. Appropriate control measures (i.e., covering of mulch piles, adequate distances/setbacks from residential communities/schools) need to be in place through Conditional Use hearing.
3. No Tier 2 materials of food waste, animal mortality or manure trucked onto the farm or M1/M2 for composting (only Tier 1 materials) and only use on/by/for the farm.
4. Maximum allowable and escalating fines permitted by the State of MD for continuous violators of current zoning regulations (need better deterrents given DPZ's inability or unwillingness to properly enforce these regulations to protect our communities).

Please DO THE RIGHT THING here!

Sincerely,

Paul Morris



Sayers, Margery

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**From:** James Nickel <james.nickel55@gmail.com>  
**Sent:** Thursday, September 28, 2017 8:53 AM  
**To:** CouncilMail  
**Subject:** CB60 Testimony by the ILRS re: Aspergillus

I don't know if you were as shocked as I was that the wood waste recycling industry finds no health problems with wood waste recycling. Very reminiscent of the tobacco industry finding flaws with all the studies the indicated smoking causes cancer.

I'll keep this email to a single point of disagreement. There are more, but let's keep it simple.

ILRS says in their testimony:

"All licensed operators in Maryland are taught about aspergillus and best management practices. Studies show that the spores travel no farther than 800 feet or so downwind from their source"

No citation for any of those studies, which forced me to do a little researching. I find this.

**From the International Conference on Advancements of Medicine and Health Care through Technology**

23-26 September, 2009  
Cluj-Napoca, Romania.

Page 2: "Several environmental pathogens have life-cycle forms that are similar in size to droplet nuclei and may exhibit similar behavior in the air. The spores of *Aspergillus fumigatus* have a diameter of 2-3.5  $\mu\text{m}$ , with a settling philosophy estimated at 0.03 cm/sec (or about 1 meter/hour) in still air. With this enhanced buoyancy, the spores, which resist desiccation, **can remain airborne indefinitely in air currents and travel far from their source.**"

That bolded section clearly implies a distance far in excess of 800 feet. The Director of DPZ noted in his testimony at the working session that DPZ does not make recommendations on health issues. He calls those "political decisions" to be made by the County Council. That suggests the County Executive has differed to the County Council in health matters as well. I find that disappointing.

CB60-2017 should be voted down and CB20-2014 remain in effect. For future consideration in M1/M2 there is health risk. I don't live adjacent to an M1/M2 area, but I care about those that do.

Please include this email as additional testimony for CB60-2017.

Regards,

James Nickel  
Dayton, MD

**Sayers, Margery**

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**From:** Ralph VanWey <rwvanwey@gmail.com>  
**Sent:** Monday, September 25, 2017 10:27 AM  
**To:** Kittleman, Allan; CouncilMail  
**Subject:** Do Not Pass CB60

Dear Council Member,

We are angry and stressed that you have allowed Mr. Bonner to operate an illegal mulching/composting facility and have done nothing to stop him. For years, we have been subjected to carsogenic toxins that cause cancer and we are not happy about it. We oppose CB60 for its cancer producing toxins and do not feel that industrial/mulching can be done safely in terms of toxins and fire threats. Maryland has 12+ years of draught. Draughts and fire are a deadly mix and human error happens too many times.

Do not pass bill CB60 in any format.

Ralph and Wilma VanWey



## Sayers, Margery

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**From:** David Smith <dosmith99@gmail.com>  
**Sent:** Monday, September 25, 2017 8:52 AM  
**To:** CouncilMail  
**Subject:** Re: CB-60 -- Need to understand amendments and processes

Good morning Council Members,

It has been 12 days and still no response. Below is copied and pasted from the original email.

I understand that amendments to CB-60 are currently being discussed. There are few questions that I'd like answered in regards to these amendments:

- 1, When will the amendments be finalized so the public can review?
- 2, Will there be another public hearing to discuss the amendments?
- 3, Why was there 2 public hearings discussing CB-60 when the council and the DPZ director knew of amendments being discussed?

I currently opposed CB-60 unless there are major amendments and need to understand these amendments and would like to provide testimony based on the changes. We are counting on the County Council to course correct with amendments added to CB60 to clearly prevent any chance of industrial mulch facilities from operating throughout farmland in Howard County, other than in M1/M2 commercially zoned land. This is the only way our Council members will ensure everyone in potentially affected areas continues to be protected by current zoning regulations defined in CB20. Please take this matter seriously and add needed amendments to CB60 that we feel is unacceptable as it now stands.

Regards,  
David

Dayton, MD Resident

On Wed, Sep 13, 2017 at 10:49 AM, David Smith <[dosmith99@gmail.com](mailto:dosmith99@gmail.com)> wrote:  
Good morning Council Members,

I understand that amendments to CB-60 are currently being discussed. There are few questions that I'd like answered in regards to these amendments:

- 1, When will the amendments be finalized so the public can review?
- 2, Will there be another public hearing to discuss the amendments?
- 3, Why was there 2 public hearings discussing CB-60 when the council and the DPZ director knew of amendments being discussed?

I currently opposed CB-60 unless there are major amendments and need to understand these amendments and would like to provide testimony based on the changes. We are counting on the County Council to course correct with amendments added to CB60 to clearly prevent any chance of industrial mulch facilities from operating throughout farmland in Howard County, other than in M1/M2 commercially zoned land. This is the only way our Councilmembers will ensure everyone in potentially affected areas continues to be protected by current zoning regulations defined in CB20. Please take this matter seriously and add needed amendments to CB60 that we feel is unacceptable as it now stands.

Regards,  
David

Dayton, MD Resident

## Sayers, Margery

---

**From:** Victor Velculescu <velculescu@jhmi.edu>  
**Sent:** Saturday, September 23, 2017 2:00 PM  
**To:** CouncilMail; Kittleman, Allan  
**Cc:** Feldmark, Jessica  
**Subject:** Health risks of CB60  
**Attachments:** Mulch Factory Health Effects Velculescu 121414.pdf; Velculescu Howard County Council Testimony September 11, 2017.pdf

Dear Members of the County Council and County Executive Kittleman,

Thank you for the opportunity to present to the County Council on September 11. As I mentioned at the time, I remain gravely concerned about the health effects of industrial-scale mulching and food-waste composting on residential, farming, agricultural, and conservation areas in Howard County. Please find attached to this email my testimony from that evening as well as a presentation I previously prepared on this topic.

As there were questions at the County Council Meeting related to my testimony, I would like to clarify a few issues.

It was apparent that some members of the Council do not fully appreciate the health risks of substances resulting from large-scale industrial mulching and composting, despite the numerous studies in the medical literature (a non-exhaustive list is contained in the attached presentation). The agents for these health risks include infectious organisms, toxins, and cancer-causing substances from the materials and compounds generated by mulching and composting sites. The literature points to serious health risks associated with all of these substances, including infections, renal, hematological, neurological and liver damage, dermatologic effects, allergic respiratory effects, non-allergic respiratory effects, gastrointestinal disturbances, fevers, irritation of the eyes, as well as cancer.

In particular, a question was raised whether the references related to occupational health exposure to wood dust were relevant, since wood dust in that setting may be different from wood dust generated from industrial mulching. One of the fundamental principles of cancer research is the realization that specific underlying substances promote the formation of cancer, or are "carcinogenic," regardless of the route of exposure. In many cases individuals that directly work with materials that are carcinogenic or toxic serve as the "canary in the coal mine," but this does not mean that these are the only individuals at risk. For example, the dangers of asbestos were first identified in asbestos mining towns in the early 1900s. Now, many years later, we realize that asbestos found in buildings and other sites is a major risk factor for lung cancer, mesothelioma and other lung diseases. Consequently, this material has been heavily restricted or phased out throughout the world. Similarly, tobacco smoke was first determined to lead to lung cancer in smokers, and only subsequently was there a realization that secondhand smoke is also major health hazard. Now, cigarette smoking is banned in many public buildings and hospitals. Beside asbestos and tobacco smoke, wood dust is another substance that has been classified as a Group 1 "known human carcinogens" by the World Health Organization and as indicated by the American Cancer Society (<https://www.cancer.org/cancer/cancer-causes/general-info/known-and-probable-human-carcinogens.html>), suggesting that we should make all efforts to limit exposure to this substance in all settings.



Given these health risks above and in the attached testimony, it is surprising to me that County Council is seriously considering permitting industrial-scale piles of wood dust-containing mulch, and toxin and infectious agent-containing food waste compost in the proximity of residents in Howard County. In addition to the health effects on individuals, such legislation would obviously expose the county and indirectly all residents to liability issues on a variety of fronts. The comparisons to asbestos and cigarette smoke from a health and liability perspective provide lessons that we would all want to avoid. I would urge members of the County Council to support legislation that would limit these types of large-scale industrial mulching and composting operations to industrial M-1, M-2 and solid waste (SW) areas and prevent them from occurring in farming, agricultural, conservation, and residential areas in Howard County.

I would be glad to meet with members of the County Council or County Executive to further discuss any aspects of my testimony or other health concerns related to these issues.

Sincerely,

Victor Velculescu

**Victor E. Velculescu, M.D., Ph.D.**  
Professor of Oncology and Pathology  
Co-Director of Cancer Biology

**Sidney Kimmel Comprehensive Cancer Center**  
**Johns Hopkins University School of Medicine**  
1550 Orleans St., Rm 544, Baltimore, MD 21287  
Phone [410.955.7033](tel:410.955.7033) FAX [410.502.5742](tel:410.502.5742)  
[velculescu@jhmi.edu](mailto:velculescu@jhmi.edu)

**Administrative Assistant**  
Jennifer Dillard  
[jdillar1@jhmi.edu](mailto:jdillar1@jhmi.edu)

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## Sayers, Margery

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**From:** R Alan Ewing <Al.Ewing@outlook.com>  
**Sent:** Tuesday, September 19, 2017 8:41 PM  
**To:** CouncilMail  
**Subject:** Opposed To Industrial Mulch

Subject: Opposition to CB60 Without Major Amendments County Council,

We are very concerned with CB60 which will allow for industrial mulching and composting on ag preserve farmland and on all of RR/RC throughout Howard County. The current zoning language contained in CB60 is unacceptable and not only puts the rural communities at risk for well-documented safety and health concerns from industrial mulching, but now also makes this a countywide issue.

As it currently reads, there are clear loopholes that will allow those posing as tree farmers to conduct industrial mulching activities from 2 acres up to 5 acres, depending on whether on Howard County ag (ALPP), RR or RC parcels. This will result in unacceptable risks to ensuring the well-being of children, families and all individuals living in affected areas. Furthermore, DPZ has demonstrated a clear inability to enforce clear violators of CB20. We now ask, how can DPZ protect our families when loopholes in CB60 will allow for industrial mulching to occur, making enforcement even more challenging?

County Executive Kittleman, through CB60 introduced on his behalf, has simply not keep to his campaign promise to ensure that there is no possibility of industrial mulching on both Howard County and State of MD ag preserve parcels, despite his recent claims to the contrary. There is no separate section in CB60 that deals with State of MD ag (MALPF) restrictions (only Howard County ag). We worked hard to get State of MD ag restrictions included in the current zoning language for CB20 and are disappointed that it has been omitted from CB60.

There are many other key amendments needed in CB60 to make it acceptable to the health and well-being of thousands of families throughout Howard County. We are counting on the County Council to course correct with amendments added to CB60 to clearly prevent any chance of industrial mulch facilities from operating throughout farmland in Howard County, other than in M1/M2 commercially zoned land. This is the only way our Councilmembers will ensure everyone in potentially affected areas continues to be protected by current zoning regulations defined in CB20. Please take this matter seriously and add needed amendments to CB60 that we feel is unacceptable as it now stands.

Thank you, R. Alan Ewing

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R. Alan (Al) Ewing  
5667 Chamblis Dr.  
Clarksville, MD 21029-1131  
410 531-3640

# **Health Hazards of Industrial Wood Waste and Composting**

**Victor Velculescu, M.D., Ph.D.**

**Sidney Kimmel Comprehensive Cancer Center  
Johns Hopkins University**

**Submitted to Howard County Task Force, December 14, 2014**



# Health Hazards

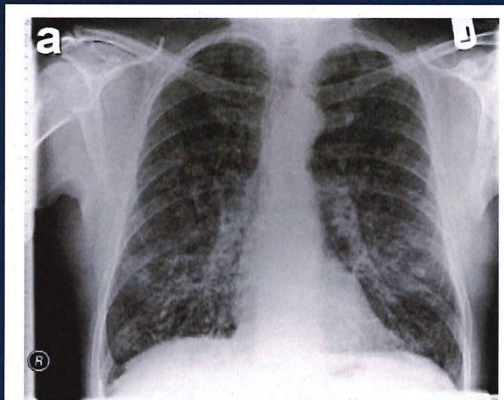
Industrial mulch processing and composting results in increased health risks

- **Mulch infectious agents – fungi and bacteria**
- Wood dust – allergic and mucosal effects
- Wood dust – cancer
- Composting – volatile compounds, organic dust, infectious agents
- Exposure and risk

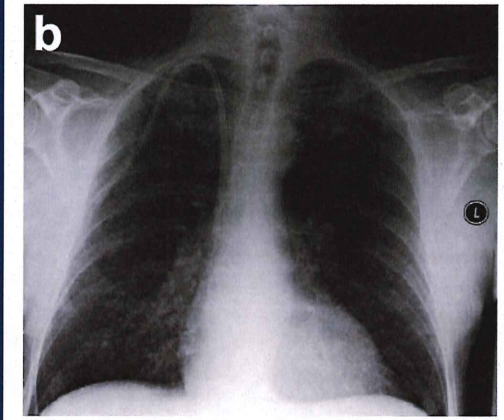


# Infectious agents example: acute fungal pneumonia

At presentation



2 months later



A 69 year old retired man with no significant medical history. Developed acute pneumonia after spreading tree bark mulch.

Hospitalized, developed kidney injury and failure. Remained dialysis dependent and housebound.

Died of sepsis 10 months later.

Inhalation of fungal spores from mulch was determined be the likely route of infection.



# Infectious agents example: acute fungal pneumonia



Mulch culture showing growth of microorganisms  
(*Aspergillus fumigatus*, *Rhizopus* spp., *Sporobolomyces* spp. and bacteria)



# Studies of mulch related infections in medical literature

1: Ameratunga R, Woon ST, Vyas J, Roberts S. Fulminant mulch pneumonitis in undiagnosed chronic granulomatous disease: a medical emergency. Clin Pediatr (Phila). 2010 Dec;49(12):1143-6. doi: 10.1177/0009922810370057. Epub 2010 Aug 19.

2: Siddiqui S, Anderson VL, Hilligoss DM, Abinun M, Kuijpers TW, Masur H, Witebsky FG, Shea YR, Gallin JI, Malech HL, Holland SM. Fulminant mulch pneumonitis: an emergency presentation of chronic granulomatous disease. Clin Infect Dis. 2007 Sep 15;45(6):673-81. Epub 2007 Aug 8.

3: Veillette M, Cormier Y, Israël-Assayaq E, Meriaux A, Duchaine C. Hypersensitivity pneumonitis in a hardwood processing plant related to heavy mold exposure. J Occup Environ Hyg. 2006 Jun;3(6):301-7.

4: Nagai K, Sukoh N, Yamamoto H, Suzuki A, Inoue M, Watanabe N, Kuroda R, Yamaguchi E. [Pulmonary disease after massive inhalation of Aspergillus niger]. Nihon Kokyuki Gakkai Zasshi. 1998 Jun;36(6):551-5. Japanese.

5: Weber S, Kullman G, Petsonk E, Jones WG, Olenchock S, Sorenson W, Parker, Marcelo-Baciu R, Frazer D, Castranova V. Organic dust exposures from compost handling: case presentation and respiratory exposure assessment. Am J Ind Med. 1993 Oct;24(4):365-74.

6: Johnson CL, Bernstein IL, Gallagher JS, Bonventre PF, Brooks SM. Familial hypersensitivity pneumonitis induced by Bacillus subtilis. Am Rev Respir Dis. 1980 Aug;122(2):339-48. PubMed PMID: 6774642.

**Dozens of examples of scientific articles from throughout the world related to infectious agents in mulch.**

**Particularly important and dangerous for immune compromised individuals.**

**Recent study found that of patients with fulminant mulch pneumonitis, half of those died of due to infection and underlying kidney disease.**



# Health Hazards

Industrial mulch processing and composting results in increased health risks

- Mulch infectious agents – fungi and bacteria
- Wood dust – allergic and mucosal effects
- Wood dust – cancer
- Composting – volatile compounds, organic dust, infectious agents
- Exposure and risk



# Health Effects of Wood Dust

From Centers for Disease Control and Prevention:

“Exposure to wood dust has long been associated with a variety of adverse health effects, including dermatitis, allergic respiratory effects, mucosal and nonallergic respiratory effects, and cancer. The toxicity data in animals are limited, particularly with regard to exposure to wood dust alone; there are, however, a large number of studies in humans.”

1988 CDC OSHA PEL Documentation



# Health Effects of Wood Dust

From *Ann Agric Environ Med* 2010, 17, 29–44.

- **Abstract:** This paper reviews the literature on associations between dry wood dust exposure and non-malignant respiratory diseases ... The results support an association between dry wood dust exposure and asthma, asthma symptoms, coughing, bronchitis, and acute and chronic impairment of lung function. In addition, an association between wood dust exposure and rhino-conjunctivitis is seen across the studies.”



# Dermatitis

- “Dermatitis. There are a large number of case reports, epidemiological studies, and other data on the health effects of wood dust exposure in humans. Dermatitis caused by exposure to wood dusts is common, and can be caused either by chemical irritation, sensitization (allergic reaction), or both of these together. As many as 300 species of trees have been implicated in wood-caused dermatitis.”



# Asthma

- “Allergic respiratory effects. Allergic respiratory responses are mediated by the immune system, as is also the case with allergic dermatitis. Many authors have reported cases of allergic reactions in workers exposed to wood dust ... Asthma is the most common response to wood dust exposure”



# Other Lung Effects

- “Mucosal and nonallergic respiratory effects (changes in the structure and function of the nasal mucosa and respiratory tract that are caused by exposure to wood dust). These changes include nasal dryness, irritation, bleeding, and obstruction; coughing, wheezing, and sneezing; sinusitis; and prolonged colds.”



# Health Hazards

Industrial mulch processing and composting results in increased health risks

- Mulch infectious agents – fungi and bacteria
- Wood dust – allergic and mucosal effects
- **Wood dust – cancer**
- Composting – volatile compounds, organic dust, infectious agents
- Exposure and risk

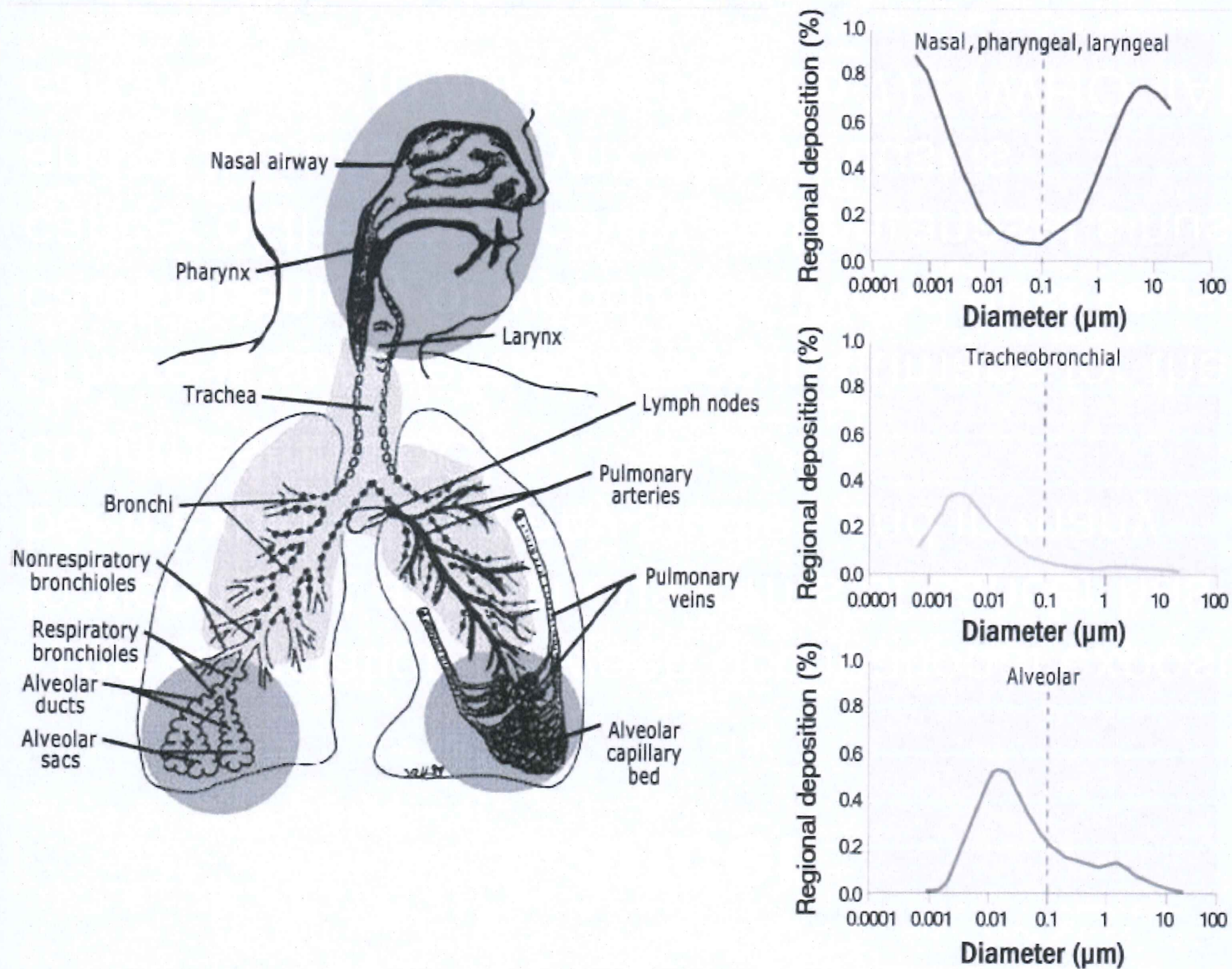


# Cancer

- “The association between occupational exposure to wood dust and various forms of cancer has been explored in many studies and in many countries.” (CDC)
- “There is *sufficient evidence* in humans for the carcinogenicity of wood dust. Wood dust causes cancer of the nasal cavity and paranasal sinuses and of the nasopharynx. Wood dust is *carcinogenic to humans (Group 1)*.” (WHO, IARC)



Fig. 4.1 Deposition of inhaled particles in the human respiratory tract during nasal breathing



From [Oberdörster et al. \(2005\)](#). Drawing courtesy of J Harkema. Reproduced with permission from Environmental Health Perspectives.



# Nasal Cancer

- “Summary of evidence for nasal and sinus cavity cancers. The literature clearly demonstrates an association between wood dust exposure and nasal cancer. “
- English studies first identified this link by showing a 10- to 100 times-greater incidence of nasal adenocarcinoma among those exposed to wood dust than in the general population.
- “In the United States, three studies have reported a fourfold risk of nasal cancer or adenocarcinoma ... and wood dust exposure.”

1988 CDC OSHA PEL Documentation



# Lung Cancer

- “Pulmonary cancer. A number of studies investigating the association between wood dust exposure and the development of lung cancer have been conducted.”
- Milham (1974/Ex. 1-943) found a significant excess of malignant tumors of the bronchus and lung in workers who exposed to wood dust.



# Hodgkin Lymphoma

- “Hodgkin's disease. Milham and Hesser concluded, on the basis of a case-cohort study of 1,549 white males dying of this disease ... that there was an association between Hodgkin's disease and exposure to wood dust.”
- Other studies concluded that men working in the wood industries in the eastern United States as well as Washington state were at special risk for Hodgkin's disease.



# Other Cancers

- “Other cancers. NIOSH (1987a/Ex. 1-1005) concluded that the data on the relationship between occupational exposure to wood dust and the development of cancers other than nasal, Hodgkin's disease, or lung cancers are insufficient and inconclusive.”
- Emerging evidence that risks of oral cancer increase with exposure to wood dust.



# Health Hazards

Industrial mulch processing and composting results in increased health risks

- Mulch infectious agents – fungi and bacteria
- Wood dust – allergic and mucosal effects
- Wood dust – cancer
- Composting – volatile compounds, organic dust, infectious agents
- Exposure and risk



# Composting

A commonly used method of waste management involving aerobic, biological process of degradation of biodegradable organic matter



# Composting Health Effects – VOC's

- Composting generates volatile organic compounds (VOCs)
- VOCs can comprise hundreds of compounds including benzene, toluene, m,p-xylene, o-xylene, styrene, formaldehyde, chloroform, ethylbenzene among others.
- High levels of VOC's observed in many studies at variety of composting sites

Environ. Sci. Technol/. 1995, 29, 896-902

J.L. Domingo, M. Nadal / Environment International 35 (2009) 382–389



# Composting Health Effects – VOC's

VOC's comprise substances that are

- Carcinogenic: examples include benzene, a risk factor for leukemia, and formaldehyde, associated with nasal carcinoma
- Toxic: includes many VOC's that may lead to renal, hematological, neurological and hepatic damage as well as mucosal irritation.



# Composting Health Effects – Biologic Agents

Composting sites due to their contents comprise infectious, allergenic, toxic, and carcinogenic agents including

- Fungi such as *Aspergillus fumigatus* (*A. fumigatus*), gram negative bacteria, and parasitic protozoa, all involved in a variety of infectious conditions
- Endotoxins produced by bacteria and fungi, including aflatoxins which are known to be associated with liver cancer



# Composting Health Effects – Biologic Agents

Composting sites due to their contents comprise infectious, allergenic, toxic, and carcinogenic agents including

- Organic dusts that can lead to pulmonary inflammation (acute inflammation, hypersensitive pneumonitis), occupational asthma, chronic bronchitis, gastrointestinal disturbances, fevers, and irritation of eyes, ear and skin.



# Composting Health Effects – Animal Mortality and Leachate

- Composting process can lead to increases in solubility of hazardous metals and organic substances in contaminated water (leachate)
- Burial of animal carcasses can lead to significant contamination of soil and groundwater with antimicrobials, steroid hormones, other veterinary pharmaceuticals

Q. Yuan et al. / Science of the Total Environment 456–457 (2013) 246–253



# Composting Health Effects – Food Wastes and Pathogens

- “There have been numerous studies on pathogen content in the composting process.”
- “In San Jose, California literally hundreds of people were affected by a nearby composting yard. This case illustrates the importance of carefully siting compost facilities with adequate setbacks from residential areas. One study, presented at a BioCycle conference recommended two miles isolation distance from residential and high travel areas.”

Cronin, C. Pathogens and Public Health Concerns with Composting  
**Vermont Department of Environmental Conservation**



# Local Example – MDE and Recycled Green Industries

- “A Woodbine company that had been processing food scraps into composted materials with commercial applications ... has ceased those operations after hearing concerns about pollution from the Maryland Department of the Environment... Food scraps present different environmental concerns than yard waste, the spokesman said. Namely, food contains "nutrients and potential pathogens" not found in yard waste, and are harmful to the environment when washed into surface and ground water, said Jay Apperson, the spokesman, in an email... The letter said water samples taken by the department on or near the company's property "confirm that the operation is generating polluted leachate and storm water and is discharging pollutants without a permit in violation of state law."

**Rector, K. Baltimore Sun, Feb 6, 2012**



# Real World Example of Composting Health Effects on Nearby Residents

- Health effects to a residential area from environmental outdoor pollution hundreds of meters from a composting site (Occup Environ Med 2003;60:336–342)

| Reported health complaints§            | SSI¶ | Bioaerosol pollution in residential air‡ up to >10 <sup>5</sup> CFU m <sup>-3</sup> air |               | Duration of present residency >5 years |               |
|----------------------------------------|------|-----------------------------------------------------------------------------------------|---------------|----------------------------------------|---------------|
|                                        |      | OR**                                                                                    | 95% CI††      | OR                                     | 95% CI        |
| Respiratory tract                      |      |                                                                                         |               |                                        |               |
| Frequency of colds >5×/year            | 209  | 1.94                                                                                    | 0.65 to 6.78  | 4.72                                   | 1.19 to 31.83 |
| Bronchitis                             | 210  | 3.02                                                                                    | 1.35 to 7.06  | 2.91                                   | 1.29 to 7.03  |
| Waking up due to coughing              | 202  | 2.70                                                                                    | 1.23 to 6.10  | 2.51                                   | 1.19 to 5.53  |
| Wheezing                               | 207  | 1.96                                                                                    | 0.84 to 4.82  | 2.95                                   | 1.22 to 7.99  |
| Shortness of breath at rest            | 203  | 3.99                                                                                    | 1.31 to 15.19 | 1.50                                   | 0.56 to 4.49  |
| Coughing on rising or during the day‡‡ | 210  | 2.67                                                                                    | 1.17 to 6.10  | 1.51                                   | 0.69 to 3.29  |
| Shortness of breath after exertion     | 205  | 4.23                                                                                    | 1.74 to 11.34 | 2.03                                   | 0.90 to 4.91  |
| Eyes and general health                |      |                                                                                         |               |                                        |               |
| Itching eyes >10×/year                 | 206  | 1.35                                                                                    | 0.61 to 3.05  | 2.85                                   | 1.31 to 6.50  |
| Smarting eyes >10×/year                | 205  | 2.44                                                                                    | 1.02 to 6.22  | 2.42                                   | 1.06 to 5.86  |
| Nausea or vomiting >5×/year            | 204  | 2.65                                                                                    | 0.87 to 9.97  | 4.10                                   | 1.28 to 18.44 |
| Excessive tiredness >5×/year           | 200  | 2.80                                                                                    | 1.22 to 6.72  | 1.83                                   | 0.84 to 4.11  |
| Shivering                              | 210  | 4.63                                                                                    | 1.44 to 20.85 | 3.67                                   | 1.32 to 12.20 |
| Joint trouble >10×/year                | 207  | 1.27                                                                                    | 0.54 to 3.07  | 1.52                                   | 0.65 to 3.71  |
| Muscular complaints >10×/year          | 201  | 1.17                                                                                    | 0.47 to 2.99  | 1.39                                   | 0.55 to 3.86  |



# Health Hazards

Industrial mulch processing and composting results in increased health risks

- Mulch infectious agents – fungi and bacteria
- Wood dust – allergic and mucosal effects
- Wood dust – cancer
- Composting – volatile compounds, organic dust, infectious agents
- **Exposure and risk**



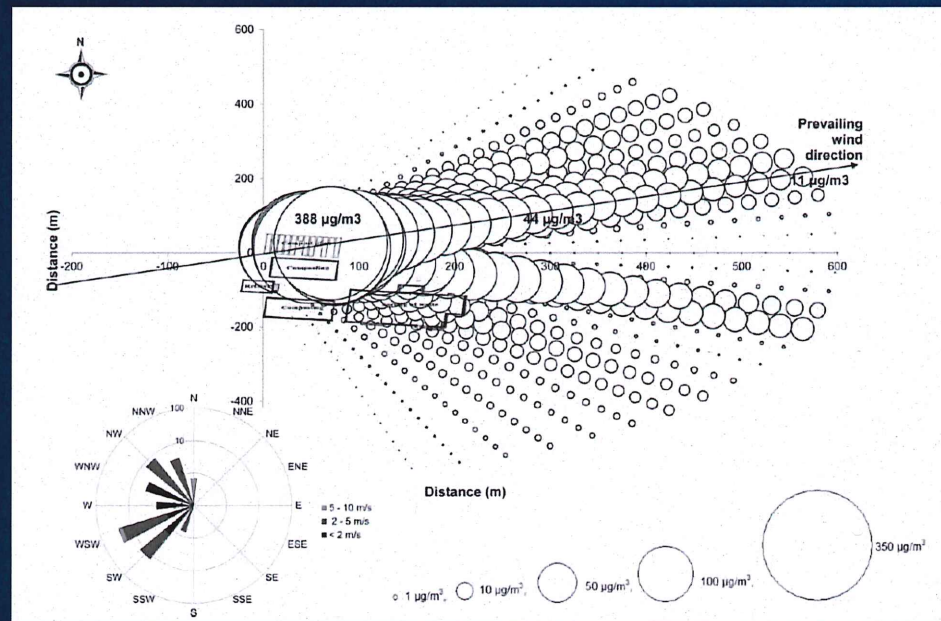
# Significant Medical Literature of Effects of Emissions from Waste Facilities

- Chalvatzaki E, Aleksandropoulou V, Glytsos T, Lazaridis M. The effect of dust emissions from open storage piles to particle ambient concentration and human exposure. *Waste Manag.* 2012 Dec;32(12):2456-68
- Nadal M, Inza I, Schuhmacher M, Figueras MJ, Domingo JL. Health risks of the occupational exposure to microbiological and chemical pollutants in a municipal waste organic fraction treatment plant. *Int J Hyg Environ Health.* 2009 Nov;212(6):661-9.
- Domingo JL, Nadal M. Domestic waste composting facilities: a review of human health risks. *Environ Int.* 2009 Feb;35(2):382-9.
- Herr CE, Nieten Az Az, Stilianakis NI, Eikmann TF. Health effects associated with exposure to residential organic dust. *Am J Ind Med.* 2004 Oct;46(4):381-5.
- Herr CE, zur Nieten A, Stilianakis NI, Gieler U, Eikmann TF. Health effects associated with indoor storage of organic waste. *Int Arch Occup Environ Health.*
- Herr CE, Zur Nieten A, Jankofsky M, Stilianakis NI, Boedeker RH, Eikmann TF. Effects of bioaerosol polluted outdoor air on airways of residents: a cross sectional study. *Occup Environ Med.* 2003 May;60(5):336-42.



# Dust Emissions and Distance

- Dust emissions from open piles of mulch / organic waste can be measured at distances  $>500$  m ( $>1500$  feet) (Waste Management 32 (2012) 2456–2468 )





# Microorganisms and VOC's - Dispersion Distance

- High levels of molds, fungi, thermophilic fungi, bacteria and other microorganisms (concentrations of  $>10^4$  colony forming units) could be measured  $>300$  m ( $>1000$  feet) in residential air neighboring outdoor organic waste (Am. J. Ind. Med. 46:381–385, 2004)
- Volatile organic compounds can be detected at distances of up to 800 meters (Environment International 35 (2009) 382–389) and others



# Dispersion of infectious agents – worst case scenario

- Infectious agents have been shown to be dispersed at larger distances. Prominent example includes outbreak of Legionnaires disease in a radius of 6km through release from an elevated water tower
- Dispersion led to 86 infected cases of which 18 (21%) were fatal



# Summary

- Mulch and composting sites can pose risks for human health due to increased exposure of infectious agents, toxic substances, and VOC's. These include
  - infections due to fungal spores and bacteria
  - Increased risk of dermatitis, allergic respiratory effects, and mucosal and nonallergic respiratory effects
  - Increased risk of cancer, including nasal, lung, and Hodgkin lymphoma
- Exposure risks can occur at significant distances from waste processing area
- Numerous examples of exposure risks have been documented in affected populations world-wide

**Testimony for the Howard County Council regarding proposed legislation CB60,**

**Victor Velculescu, M.D., Ph.D., September 11, 2017**

My name is Dr. Victor Velculescu and I reside in Dayton, MD. I am speaking today on behalf of Big Branch Overlook, our residential organization.

I am a physician-scientist and serve as Co-Director of Cancer Biology at the Sidney Kimmel Comprehensive Cancer Center at the Johns Hopkins University School of Medicine. I have been researching cancer for over 25 years, and have written extensively on this topic, publishing over 150 articles in the medical literature. I have also been on the Board of Directors of the American Association of Cancer Research, the largest cancer research organization in the United States.

I have been a resident in Dayton, MD for the past 15 years, and have enjoyed with my family the beautiful rural setting of Howard County. This county is well known nationally not only for its beauty, but also for its high educational standards in its public schools, its high quality of life, and its high level of civic institutions, and for all these you should be commended. Therefore, it has been a surprise to me that on a topic as simple as what we will discuss in the proposed CB60 bill, that the leadership of Howard County is taking steps backwards in promoting the health and safety of its citizens.

Frankly, I am speaking here today because I think that the proposed legislation CB60, which as written would essentially permit limitless in-and-out industrial-scale mulching and composting operations in agricultural and residential areas, is a clear and present danger to the residents of Howard County. These dangers are real – they are documented by the medical literature and are highlighted by well-known health organizations, including the Centers for Disease Control (CDC) and the World Health Organization. The dangers from industrial mulch processing and composting include increased exposure to infectious and toxic agents, such as fungi and bacteria and their endotoxins, allergenic and carcinogenic effects of wood dust, and the inflammatory, toxic, and carcinogenic effects of organic dusts and volatile organic compounds. We may think of wood fragments and composting as something natural when performed on the farm and for the farm. However, the amount, type, and storage of materials that are generated in an industrial mulch or composting facility are no longer on a scale that we would encounter naturally or that are inherently safe.

These are not theoretical risks. I have provided in my submitted testimony a recent case report of a healthy retired gentleman that developed fungal pneumonia after exposure to mulch. He developed kidney failure and died of infections months later. It was clear that fungal spores from mulch were the route of infection. There are dozens of reports in the literature from throughout the world that are related to infectious agents in mulch, primarily fungi and bacteria. Fungal spores can travel large distances on the order of miles and are of particular risk to immune comprised individuals, including children and the elderly.

The dangers of food waste composting can be even higher because they lead to generation of not only infectious microbes, but also of volatile organic compounds that may be toxic. Such chemicals may lead to renal, hematological, neurological and liver damage. Composting processes can lead to increases of hazardous metals and organic substances in contaminated water, and burial of animal



cancer carcasses can lead to significant contamination of soil and groundwater with antimicrobials and other chemicals. As a clearly documented example in San Jose, California, hundreds of individuals had significant health effects simply because they lived near a composting yard. Closer to home, in 2012, the Maryland Department of the Environment shut down a food waste composting company in Woodbine, MD, after identifying toxic pollutants near the site.

In addition to infectious agents and volatile compounds, a clear health risk is also the exposure to wood and organic dust from mulch and composting facilities. The CDC has documented that wood dust particles are associated with a variety of health effects including dermatologic effects such as dermatitis, allergic respiratory effects including asthma, and mucosal and nonallergic respiratory effects, including bronchitis, irritation, bleeding, and obstruction, as well as coughing, wheezing, sinusitis, and prolonged colds. Organic dusts from composting can lead to pulmonary inflammation, occupational asthma, chronic bronchitis, gastrointestinal disturbances, fevers, irritation of the eyes, ear and skin. As one example among many, a well-documented study from 2003 showed increased risk of bronchitis, coughing, shortness of breath, fatigue and eye symptoms in residential areas hundreds of meters from a composting site. As a local example compiled by Mr. James Nickel, a number of individuals living up several miles from the Oak Ridge Farms facility in Woodbine, MD have reported respiratory related issues, and several were found to have wood particulate matter in their respiratory system.

In addition to these issues, the health effect that is of most concern to me is that many aspects of industrial mulching and composting lead to dust particles and compounds that have been categorized by the World Health Organization and the CDC as carcinogenic or cancer causing. Very simply, these organizations indicate that "Wood dust causes cancer of the nasal cavity and paranasal sinuses, and of the nasopharynx. It is carcinogenic to humans." There are hundreds of papers in the medical literature that document the increased risk from wood dust for nasal cancers, lung cancers, Hodgkin's lymphoma, and potentially other kinds of cancers, as well as volatile organic compounds (including those generated from composting) as a risk factor for leukemia and nasal carcinoma.

Carcinogens by definition increase the risk of cancer, especially to those exposed over longer periods of time. Howard County has many communities where there are a large number of children and other residents that spend a significant amount of time outdoors and would be directly exposed to the health risks I have described. And of course, many residents plan to live in these communities for many years, even their entire lives. To allow exposure to infectious, toxic, and carcinogenic agents from these types of facilities to a large number of individuals in residential areas does not seem to be in the public interest. As I have said previously, this would make Howard County the equivalent of a petri dish of health experimentation. In addition to the health effects on individuals, such legislation would obviously expose the county and indirectly all residents to liability issues on a variety of fronts. Given this and other testimony that you have heard, I would urge members of the County Council to support legislation that would limit these type of industrial mulching and composting operations to industrial M-1, M-2 and solid waste (SW) areas and prevent them from occurring in farming, agricultural, conservation, and residential areas in Howard County.

I thank you for your attention.

CM BRs  
JF  
MS

4921 Green Bridge Road  
Dayton, MD 21036  
August 3, 2017

The Honorable Greg Fox  
Howard County Council  
George Howard Building  
3430 Court House Drive  
Ellicott City, MD 21043

2017 AUG - 7 PM 12: 56  
HOWARD COUNTY COUNCIL  
RECEIVED

Re: Opposition to **CB 60** – Mulch Processing

Council Member Fox:

We are writing to express our concern about opposition to CB 60. Council Bill 60 is zoning legislation that provides openings for industrial scale mulch processing facilities to commence operations in Western Howard County, including on AgPreserve land.

Industrial scaled mulch processing plants present health and safety issues for our community including but not limited to large truck traffic, groundwater contamination, and fire risks. Our roads are not designed for this type of traffic. The trucks that move materials around for these types of operations weigh many tons. We do not have road-shoulders or sidewalks and many families, including my own, live in homes close to the roads where children play in yards and catch school buses. In addition, industrial scale mulching operations are subject to naturally occurring fires that are easily large enough to spread to nearby homes. Particulate matter from industrial size mulching operations is proven to contribute to respiratory conditions and cancer.

Small-scale mulch processing operations are an appropriate agricultural use. This use needs to be carefully carved out in the zoning ordinance to prohibit openings for industrial-scale operations. Some of the terms that are appropriate to define and limit mulching operations include only permitting the use of raw materials taken directly from the farm where the mulch will be used – and prohibiting sale or commercial transport of mulch.

Please oppose CB-60 as initially drafted. Also, if this bill is amended to provide the necessary protections and restrictions, it is very important that the amendments be identified as major/substantive. This is an important procedural point that will help preserve the amendments should an appeal process be implemented by the opposition.

Thank you for your consideration.

Sincerely,



Diane, Jeff, and Mason Banner



## Sayers, Margery

---

**From:** Richard Tufts <tuftsdaissy@verizon.net>  
**Sent:** Thursday, July 27, 2017 8:37 PM  
**To:** CouncilMail  
**Subject:** Opposition to CB 60-2017

Council Members,

My wife and I oppose mulching in Howard county for the following, single reason: **According to the American Cancer Society International Agency for Research on Cancer wood dust is a carcinogen and could cause cancer in humans.**

As you are aware, scientific evidence has been presented by Doctor Victor Veculesco, MD, PhD, Director of Oncology at Johns Hopkins Medical Center, during testimony before the Howard County Environmental Sustainability Board, the County Council and the Mulch Task Force proceedings. These presentations reflect the wealth of evidence-based data further supporting that wood dust is a cancer-causing substance. And yet in the wake of this, here we are again wrestling with the same issue, which seems to indicate that either no one believes or wants to believe hard, scientific, medical evidence... or worse, thinks, "It can't happen to them."

But what if you are a cancer survivor striving to control risks to known threats, such as certain foods, wine, alcohol, etc.,... those things you can control to continue being cancer-free? Now you are faced with a known carcinogen that you CAN NOT control, short of moving out of your home.

Moreover, would you want to live across the road/street or have your children playing down wind from a mulching operation knowing that it produces Wood Dust that a reputable organization, the American Cancer Society, has determined can cause cancer? This as a simply answered question - either yes or no. If 'yes,' then obviously you do not consider it much of a risk. It can not happen to you, your spouse, your children or other family members, right?

We say, "It can happen" and therefore, do not want mulching permitted or allowed in our county... anywhere, especially given it will probably will not be monitored or controlled. For we are aware our county traditionally DOES NOT monitor its own laws and regulations.

Additionally, large, 18-wheeler trucks are associated with mulching operations. They have to travel over our narrow, tertiary roads, competing with farmers moving large equipment from field to field, residents in inherently large vehicles, plus a recently introduced, new vehicle on our roads... bicycles. I submit this conglomeration cannot safely compete on our narrow, Scenic roads. It is absolutely unsafe!

As our elected officials, you are not only responsible for carrying out duties governing our county, but just as importantly, protecting the citizens of Howard... your constituents. We, therefore, urge you to act RESPONSIBILITY and protect everyone from the dangers of mulching. Remember it has been demonstrated, wood dust can cause CANCER.

In summary, we urgently request that you recognize the very real threat mulching can have on the health of our citizens. As our trusted legislators, we ask that you do the right thing!! Vote NO TO ALL MULCHING!!! Make Howard a safe county to live in.

Very respectfully,  
Mr. & Mrs. Richard G. Tufts  
Daisy



## Sayers, Margery

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**From:** MIRRAFLOR MORRIS <paulandmirra@verizon.net>  
**Sent:** Wednesday, July 26, 2017 8:46 AM  
**To:** CouncilMail  
**Subject:** Opposition to CB60 Without Major Amendments

County Council,

We are very concerned with CB60 which will allow for industrial mulching and composting on ag preserve farmland and on all of RR/RC throughout Howard County. The current zoning language contained in CB60 is unacceptable and not only puts the rural communities at risk for well-documented safety and health concerns from industrial mulching, but now also makes this a countywide issue.

As it currently reads, there are clear loopholes that will allow those posing as tree farmers to conduct industrial mulching activities from 2 acres up to 5 acres, depending on whether on Howard County ag (ALPP), RR or RC parcels. This will result in unacceptable risks to ensuring the well-being of children, families and all individuals living in affected areas. Furthermore, DPZ has demonstrated a clear inability to enforce clear violators of CB20. We now ask, how can DPZ protect our families when loopholes in CB60 will allow for industrial mulching to occur, making enforcement even more challenging?

County Executive Kittleman, through CB60 introduced on his behalf, has simply not keep to his campaign promise to ensure that there is no possibility of industrial mulching on both Howard County and State of MD ag preserve parcels, despite his recent claims to the contrary. There is no separate section in CB60 that deals with State of MD ag (MALPF) restrictions (only Howard County ag). We worked hard to get State of MD ag restrictions included in the current zoning language for CB20 and are disappointed that it has been omitted from CB60.

There are many other key amendments needed in CB60 to make it acceptable to the health and well-being of thousands of families throughout Howard County. We are counting on the County Council to course correct with amendments added to CB60 to clearly prevent any chance of industrial mulch facilities from operating throughout farmland in Howard County, other than in M1/M2 commercially zoned land. This is the only way our Councilmembers will ensure everyone in potentially affected areas continues to be protected by current zoning regulations defined in CB20. Please take this matter seriously and add needed amendments to CB60 that we feel is unacceptable as it now stands.

Thank you,  
Mirra Morris  
Dayton resident

## **Sayers, Margery**

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**From:** Olav Jensen <jonolavjensen@yahoo.com>  
**Sent:** Wednesday, July 26, 2017 8:22 AM  
**To:** CouncilMail  
**Subject:** CB60

Subject: Opposition to CB60 Without Major Amendments  
County Council,

We are very concerned with CB60 which will allow for industrial mulching and composting on ag preserve farmland and on all of RR/RC throughout Howard County. The current zoning language contained in CB60 is unacceptable and not only puts the rural communities at risk for well-documented safety and health concerns from industrial mulching, but now also makes this a countywide issue.

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Thank you.

Jon Olav Jensen  
Glenelg, MD



**Sayers, Margery**

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**From:** Stu Kohn <stukohn@verizon.net>  
**Sent:** Monday, September 04, 2017 9:36 PM  
**To:** howard-citizen@yahoogroups.com  
**Cc:** CouncilMail; Kittleman, Allan; Wilson, B Diane  
**Subject:** Special Legislative Public Hearing -- 11 Sept 2017 at 6PM

FYI,

Next Monday, 11 September 2017 is a continuation of a County Council Public Legislation Hearing starting at 6PM at the George Howard building. It is extremely important as there are two major proposed Bills that the Howard County Citizens Association (HCCA) testified on 17 July. Please go to <https://howardcountyhcca.org/member-info/reports-documents-and-testimonies/> to read our testimony.

They are **CB61/62 - Adequate Public Facilities Ordinance (APFO)** – AN ACT amending the Adequate Public Facilities (APFO) Act requiring certain periodic review; specifying completion timelines for certain types of road remediation projects; requiring that certain agreements contain certain provisions with regard to the timing of road mitigation projects; amend the title of certain charts and other terminology; requiring certain waiting periods; clarifying certain exemptions; defining certain terms; amending certain definitions; making certain technical corrections; and generally relating to the Adequate Public Facilities Act of Howard County. You can go to <https://apps.howardcountymd.gov/olis/PrintSummary.aspx?LegislationID=2890> to see the Public and Written Testimony.

**CB62** is an ACT amending PlanHoward 2030, the general plan for Howard County, to reduce the number of allocations in the Growth and Revitalization category and to increase the number of allocations in the Established Communities category, beginning in 2020; and generally relating to planning, zoning and land use in Howard County. You can go to <https://apps.howardcountymd.gov/olis/PrintSummary.aspx?LegislationID=2891> to see Public Testimony. As of the beginning of last week there were 17 additional individuals who had signed up to testify. In addition to the 15 who have already testified. We anticipate a large number to testify on Monday. This is especially true because citizens are very concerned with many aspects of the current APFO especially now hearing of the potential nearly 9000 students being redistricted. APFO simply needs to change. We only hope the Council will use their discretion and do something about placing more than adequate measures to ensure the proper balance is in place regarding quality of life issues which includes all infrastructure – Schools, Roads, Hospital, EMS, Police, Fire, and Stormwater, etc.

**CB60** - AN ACT allowing certain composting facilities and emergency natural wood waste recycling facilities as accessory uses under certain conditions in certain Zoning Districts; allowing certain natural wood waste recycling facilities and composting facilities as a use permitted as a matter of right under certain conditions in certain Zoning Districts. This subject has been a very concerned issue for mainly the residents of western Howard County. However it affects all of us to ensure in the east that the proper facilities are protected to ensure the health and welfare of any residents nearby are protected. You can go to <https://apps.howardcountymd.gov/olis/PrintSummary.aspx?LegislationID=2892> to see both the Public and Written Testimony. As of the beginning of last week there were 50 additional individuals who had signed up to testify. In addition to the 15 who have already testified. There will be many more besides these 50 to publically testify.

HCCA was a member of both Task Forces relating to these legislative matters. They comprised of 22 and 24 meetings respectively. Thus far I have been very disappointed with the outcomes of the Task Force recommendations. The only way it will be rectified is if the Council takes the initiative to go way beyond the continuance of "Business as Usual" attitude. Yes – major amendments would be appropriate. I am sure the overwhelming majority of their constituents would be most appreciative for their actions.

I have Cc'd both the Council and the Administration in hopes that something positive will be accomplished in these most important pieces of legislation.

Sincerely,

Stu Kohn  
HCCA, President



**Sayers, Margery**

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**From:** Priscilla Trubin <oldtrube@aol.com>  
**Sent:** Sunday, September 03, 2017 9:58 AM  
**To:** CouncilMail  
**Subject:** CB60/ZRA180 and our beloved Western Howard County

To the Members of the Howard County Maryland County Council;

We are 35 year residents of Howard County, 17 years of which have been in Dayton Maryland. We want our county farmers to be able to honor the legacy of their families and their land, but with reasonable coexistence with decent air, water and noise quality, and in light of increasingly crowded former carriage roads. This bill needs to be evaluated in consideration of the other "planned" growth events which have been or are about to be approved within a five mile area.

1) Expansion of Route 32

More construction traffic followed by greater access to many more cars and greater residential growth

2) At least 3 subdivisions in planning or under construction in Dayton, including a 46 house subdivision off of Green Bridge Road

After construction traffic and noise is finished, 46 more families, cars, children on a road with no shoulder

How will mulch businesses operating on former carriage roads utilizing eighteen wheeler trucks , noisy equipment and producing polluted water and air fit in with the County's decision to grow residential subdivisions in the West?

Sincerely,

Priscilla Trubin

Richard Lewis

5162 Green Bridge Road  
Dayton, MD 21036

410-925-4357

Oldtrube@aol.com



**Sayers, Margery**

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**From:** Darren Bush <darbus37@gmail.com>  
**Sent:** Friday, September 01, 2017 7:40 PM  
**To:** CouncilMail  
**Subject:** Cb60

Please do not pass cb 60. It poses significant health issues to our community. I am concerned for our neighborhood and my family. I will continue to oppose this bill.

Thank you,

Darren Bush  
14036 Big Branch Drive  
Dayton Md 21036

## Sayers, Margery

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**From:** Sigaty, Mary Kay  
**Sent:** Wednesday, August 23, 2017 12:22 PM  
**To:** Feldmark, Jessica; Sayers, Margery  
**Subject:** FW: CB-60 Mulcing on farmland

**From:** george mech <gpmech@verizon.net>

**Date:** Friday, August 4, 2017 at 4:13 PM

**To:** Allan Kittleman <AKittleman@howardcountymd.gov>, Calvin Ball <cball@howardcountymd.gov>, Greg Fox <gfox@howardcountymd.gov>, Jen Terrasa <jterrasa@howardcountymd.gov>, Jon Weinstein <jweinstein@howardcountymd.gov>, "Sigaty, Mary Kay" <mksigaty@howardcountymd.gov>

**Subject:** CB-60 Mulcing on farmland

Howard County Council Members. PLEASE DO NOT ALLOW MULCHING ON FARMLAND PROPERTY IN THIS COUNTY. Only de-minimis (one acre or less) mulching for farmers living on their farmland parcel should be allowed.

The County Council has been made aware (explicitly so) of the toxic effects of large mulching operations on the health and welfare of surrounding communities. The economics of this matter suggests that whatever income the farmer-landowner (or many farmer-landowners) might derive over any span of time, is insignificant to the remedial cost of correcting the consequences (millions of dollars) not mention the toxic health effects that can not always be cured. The farmers have a right to benefits from the land they farm, BUT THEY DO NOT HAVE THE RIGHT TO POLLUTE OUR GROUND WATER OR OUR AIR, OR ENDANGER OUR ROADWAYS!. The enforcement of regulations, in this matter, has a history of ineffectiveness; as county staff testified at the meeting on July 17, 2017. They are still trying to do something in the Woodbine situation. Meanwhile the toxic activity goes on! That is precisely the problem, it takes a while for the toxic consequences to emerge: it takes a while for the enforcement process to bring to a halt the toxic activity, and in the meantime, people are hurt and sometimes beyond repair. The Flint Michigan event is exactly the kind of event we need to prevent. The public officials there wished now that they had done things differently.

At the July 17th hearing Councilwoman Ms.Sigaty, in response to a citizen's testimony stated that Mr. Orndorff had acquired an "M1 or M 2" zoned property and was putting up for sale the Dayton property and therefore would not be using that property for mulching, as if this was to satisfy the matter. The problem is; maybe the next owner or succession of owners might try mulching operations on that property. It appears that this was a short term solution, with long term consequences.

At that same hearing Councilman Fox aggressively over-reacted to testimony provided by an effective citizen who was opposing this bill without significant modifications. Such behavior by a council member at hearing of this nature has a very chilling effect on citizens thinking about testifying before the county council.

Please make my comments part of the public record on this matter.  
Thank you for the chance to be heard.

George Mech  
5244 Kalmia Drive  
Dayton, Maryland, 21036



## Sayers, Margery

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**From:** Williams <rawmlw@gmail.com>  
**Sent:** Monday, August 21, 2017 5:57 PM  
**To:** rawmlw@gmail.com  
**Subject:** CB 60 Concerns and Remediation

Once again, we reiterate our disappointment in the proposed zoning abuse by RJL and continue to voice our opposition to CB60 and to facilitate your approval of the following amendments:

No Natural Wood Waste Recycling (NWWR) facilities on Rural Residential (RR) and Rural Conservation (RC) parcels; RC includes both Howard County and State of MD ag preserve farmland

No food waste in compost produced exclusively to support farming activities for use only for/by/on the farm on all RR and RC parcels

No commercial or retail sale of compost produced exclusively to support farming activities for use only for/by/on the farm on all RR and RC parcels

No three axle or tractor-trailer trucks on/off the farm for compost produced exclusively to support farming activities for use only for/by/on the farm on all RR and RC parcels

We oppose the current zoning language in CB 60 given the many obvious loopholes it creates. Our Amendment 1, by default, absolutely prohibits the following on all RR and RC parcels:

No commercial sale of mulch or compost product

No three-axle or tractor-trailer trucks on/off the farm with mulch or compost product

No industrial grade tub grinders, normally used to support typical industrial mulching facilities

No mulching on Howard County ag preserve or State of MD ag preserve farmland

No retail sales of mulch or compost product onsite

What these amendments translate into for NWWR facilities is the reality that these operations belong on M1/M2 industrial-zoned parcels and need to be covered to responsibly prevent mulch dust, compost dust, and endospores from airborne contamination to put nearby residential communities at risk for medical concerns.

RJL must either remain on its industrial-zoned site or sell the agriculture-zoned land that was purchased with the intention of bending the rules and running a commercial operation. We stand united against this blatant abuse of the established agricultural zoning, and we expect that our Howard County elected representatives will make the morally and technically correct decision and not accept CB 60 with all of its loopholes which do not address the well-documented health risks of such a proposal.

We look forward to your support as we meet again on 11 September.

Monica and Rich Williams  
Big Branch Drive  
Dayton

## Sayers, Margery

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**From:** Lisa and Jeff Caplan <LJCAPLAN@msn.com>  
**Sent:** Sunday, August 20, 2017 8:48 PM  
**To:** CouncilMail; Kittleman, Allan  
**Cc:** Feldmark, Jessica; Regner, Robin  
**Subject:** Opposition to CB60 Without Major Amendments

Council members and Mr. Kittleman:

My wife and I are very concerned with CB60, which without significant amendments, will allow for industrial mulching and composting on ag preserve farmland and on all of RR/RC throughout Howard County. The current zoning language contained in CB60 is unacceptable and not only puts the rural communities at risk for well-documented safety and health concerns from industrial mulching, but now also makes this a countywide issue.

As it currently reads, there are loopholes that will allow those posing as tree farmers to conduct industrial mulching activities from 2 acres up to 5 acres, depending on whether on Howard County ag (ALPP), RR or RC parcels. This will result in unacceptable risks to ensuring the well-being of children, families and all individuals living in affected areas. Furthermore, DPZ has demonstrated a clear inability to enforce clear violators of CB20 in the past. We now ask, how can DPZ protect our families when loopholes in CB60 will allow for industrial mulching to occur, making enforcement even more challenging? The answer is, it cannot.

County Executive Kittleman, through CB60 introduced on his behalf, has simply not keep to his campaign promise to ensure that there is no possibility of industrial mulching on both Howard County and State of MD ag preserve parcels, despite his recent claims to the contrary. There is no separate section in CB60 that deals with State of MD ag (MALPF) restrictions (only Howard County ag). We worked hard to get State of MD ag restrictions included in the current zoning language for CB20 and are disappointed that it has been omitted from CB60.

There are many other key amendments needed in CB60 to make it acceptable to the health and well-being of thousands of families throughout Howard County. We are counting on the County Council to fix the problem and add all the necessary amendments to CB60 to clearly prevent any chance of industrial mulch facilities from operating throughout farmland in Howard County, other than in M1/M2 commercially zoned land. This is the only way to ensure everyone in potentially affected areas continues to be protected by current zoning regulations defined in CB20. Please take this matter seriously and add needed amendments to CB60 that we feel is unacceptable as it now stands.

This needs a thorough evaluation - not a quick, cursory review. If you take the time to understand the issues, it will become clear to you that the amendments are necessary.

As a reminder, here is Mr. Kittleman's quote from only a couple years ago:

*"In response to your inquiry regarding industrial mulching on agricultural farm land, I can unequivocally state that I am opposed. There have been three major public hearings on this issues: one at Dayton Oaks Elementary School, one in Sykesville and another at the Ten Oaks Ballroom with an estimated attendance of over five hundred, where I stated that I firmly opposed industrial mulching. As County Executive, I will actively continue my opposition."*



Mr Kittleman, this new bill without major amendments, does not represent continued opposition.

Thank you,

Jeff Caplan  
Marriottsville, MD 21104

## Sayers, Margery

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**From:** michael pantos <mjpantos@yahoo.com>  
**Sent:** Sunday, August 20, 2017 8:27 PM  
**To:** CouncilMail  
**Subject:** CB60 UNACCEPTABLE as is

Subject: Opposition to CB60 Without Major Amendments  
County Council,

We are very concerned with CB60 which will allow for industrial mulching and composting on ag preserve farmland and on all of RR/RC throughout Howard County. The current zoning language contained in CB60 is unacceptable and not only puts the rural communities at risk for well-documented safety and health concerns from industrial mulching, but now also makes this a countywide issue.

As it currently reads, there are clear loopholes that will allow those posing as tree farmers to conduct industrial mulching activities from 2 acres up to 5 acres, depending on whether on Howard County ag (ALPP), RR or RC parcels. This will result in unacceptable risks to ensuring the well-being of children, families and all individuals living in affected areas. Furthermore, DPZ has demonstrated a clear inability to enforce clear violators of CB20. We now ask, how can DPZ protect our families when loopholes in CB60 will allow for industrial mulching to occur, making enforcement even more challenging?

County Executive Kittleman, through CB60 introduced on his behalf, has simply not keep to his campaign promise to ensure that there is no possibility of industrial mulching on both Howard County and State of MD ag preserve parcels, despite his recent claims to the contrary. There is no separate section in CB60 that deals with State of MD ag (MALPF) restrictions (only Howard County ag). We worked hard to get State of MD ag restrictions included in the current zoning language for CB20 and are disappointed that it has been omitted from CB60.

There are many other key amendments needed in CB60 to make it acceptable to the health and well-being of thousands of families throughout Howard County. We are counting on the County Council to course correct with amendments added to CB60 to clearly prevent any chance of industrial mulch facilities from operating throughout farmland in Howard County, other than in M1/M2 commercially zoned land. This is the only way our Councilmembers will ensure everyone in potentially affected areas continues to be protected by current zoning regulations defined in CB20. Please take this matter seriously and add needed amendments to CB60 that we feel is unacceptable as it now stands.

### **These amendments are CRITICAL and must be included in CB60:**

1. **No Natural Wood Waste Recycling (NWWR) facilities on Rural Residential (RR) and Rural Conservation (RC) parcels; RC includes both Howard County and State of MD ag preserve farmland**
2. **No food waste in compost produced exclusively to support farming activities for use only for/by/on the farm on all RR and RC parcels**
3. **No commercial or retail sale of compost produced exclusively to support farming activities for use only for/by/on the farm on all RR and RC parcels**



4. **No three axle or tractor-trailer trucks on/off the farm for compost produced exclusively to support farming activities for use only for/by/on the farm on all RR and RC parcels**

Thank you,  
Dr. Michael Pantos

## Sayers, Margery

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**From:** David M Banwarth <dmbanwarth@verizon.net>  
**Sent:** Monday, August 14, 2017 6:35 PM  
**To:** Ball, Calvin B; Fox, Greg; Sigaty, Mary Kay; Terrasa, Jen; CouncilMail; Weinstein, Jon  
**Cc:** Kittleman, Allan; Delorenzo, Carl; Knight, Karen; CouncilMail; Kate Magill  
**Subject:** Opposition to CB60 - No Mulch Manufacturing on Ag Pres, RR, or RC lands  
**Attachments:** Testimony Submitted to Council on 08 14 2017.pdf

County Council Chairman and Council Members,

**I ask you to vote down CB60, which is a serious threat to public health and safety. Do not allow mulch manufacturing on Ag Pres, RR and RC lands.**

Safeguard our quality of life in Howard County. Limit NWWR mulch manufacturing to M1/M2 Zoning only, and establish safeguards against dust and airborne toxins from those industrial sites. Anything less will bring the threat of these Industrial Hazards being sited near, or into, every rural residential community in Western Howard County on RC, RR or Ag Pres lands.

Please read my attached position statement and record it as my official testimony regarding CB60-2017.

Thank you,

David M Banwarth

Dayton, MD



## Sayers, Margery

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**From:** David Banwarth <dmbanwarth@verizon.net>  
**Sent:** Monday, August 07, 2017 2:10 PM  
**To:** CouncilMail  
**Cc:** John Tegeris; Fox, Greg  
**Subject:** Opposed to CB60!

Council Members,

CB60 needs to be withdrawn or voted down!

There is no legitimate purpose or supportive argument for enactment of CB60 as a "farming" measure. It is a blatant special interest Bill for existing, or aspiring, NWWR industrial operators to move onto Ag Pres and RC/RR properties, while disregarding the documented health and safety risks for residents.

Not a single farmer in the State is an NWWR license holder - does anyone need more proof that this has nothing to do with farming?

CB60 is irresponsibly reckless and endangering legislation. Mulch manufacturing belongs only on M1/M2 zoning, by Conditional Use only, as per current law.

Please record my opposition to CB60 accordingly.





David Banwarth  
Dayton, MD

Testimony Submitted to Council on 08/14/2017

In OPPOSITION to CB60-2017

By: David M Banwarth, Dayton, MD

I strongly **OPPOSE** CB60-2017. Mulch Manufacturing belongs on M1/M2 only, and not on Ag Pres or RC or RR properties. And even M1/M2, there should be safeguards against toxic leachate runoff, dust, and windblown spores. It should also remain a conditional use in M1/M2. Industrial mulch manufacturing hazards are present on even a 1-acre site. Many major fires that have occurred on same and a 1-acre site has all the same hazards as a 10 acres site regarding aquifer contamination, truck traffic, noise, dust, etc. M1/M2 ensures an adequate public water supply for firefighting, adequate firefighting access, and roads built for commercial truck traffic. Rural areas of Western Howard County do not have these safeguards. Below are a few recent local fires that occurred on less than 1 acre, yet tied up enormous public safety resources from multiple jurisdictions. Howard County Fire Department responded to each of these extensive mulch pile fires.

| SOME RECENT SIGNIFICANT LOCAL MULCH FACILITY FIRES<br>( < 1 ACRE OF MULCH INVOLVED IN EACH FIRE ) |            |                                               |                                                                                                                                                                            |
|---------------------------------------------------------------------------------------------------|------------|-----------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Location /<br>Mulch<br>Acreage                                                                    | Date       | Fire/EMS<br>Service<br>Impact                 | Fire Incident Photos                                                                                                                                                       |
| 7800 Block,<br>Kabik Ct.,<br>Woodbine                                                             | 05/14/2017 | 2 Counties,<br>25+<br>firefighters            | <br>MDE Reg's = 12'<br>Actual Height = 68'                                              |
| Upper<br>Marlboro                                                                                 | 04/11/2013 | 3 Counties<br>+ AAFB,<br>100+<br>firefighters |   |
| ReCycled<br>Green,<br>Woodbine                                                                    | 09/01/2013 | 4 Counties,<br>80+<br>firefighters            |                                                                                        |

Allowing Ag Pres, RC or RR mulch manufacturing sites would be disastrous in terms of known hazardous impacts on community safety. Even 2 acres (as proposed for Ag Pres), represents 24,000 TONS of annual production, with endless grinding, noise, respiratory damaging dust and windblown fungal spores traveling up to 3 miles, fire hazards, dangerous trucking on narrow rural roads, traffic congestion, groundwater aquifer contamination, over 75+ triple axel dump truck trips per day, reduced quality of life, and reduced property values. By official MDE records, a 2-acre NWWR facility would rank 5<sup>th</sup> in the entire State of Maryland! There would be more than a dozen commercially licensed NWWR facilities producing less that what can be produced on 1 acre! One has to wonder if the attempt to pass this off as “not Industrial” is either due to being sadly misinformed or intentionally deceitful.

An extreme affrent is that Ag Pres is a TAXPAYER funded program! Yet it is attempted to be used by CB60-2017 to foster hazardous Industrial NWWR processing sites on residentially zoned lands that are legally



protected against such public safety threats by both the current Zoning Ordinance, and by specific easement restrictions purchased with our tax funds.

### **ALPP Sec. 15.511 – "Restrictions":**

"(b) Land subject to an agricultural land preservation easement may not be used for:

- (1) Developed for purposes other than agricultural uses.
- (2) Used for commercial, industrial ..."



### **Ag Pres Deeds of Easement**

#### **COVENANTS, CONDITIONS, LIMITATIONS AND RESTRICTIONS**

A. Subject to the reservations hereinafter contained, the Grantor covenants, grants and relinquishes the right to develop the Land for any purpose, except those which are related directly to or as an accessory use of the premises for farming and agricultural purposes ("Development Rights"). Development Rights include, but are not limited to, the right to develop the Land for use in the following manner:

- (1) industrial or commercial uses;



This has all the appearances of being pushed to benefit a few special interest NWWR operators at the abuse of those who have paid their tax money to preserve the tranquil and peaceful agricultural farming practices in their communities. Any "limits" imposed by CB60 have no actual restricting effect. They are not going to be enforced by DPZ (by their own admission in Planning Board testimony and in the DPZ Technical Staff Report), or by MDE (e.g. - 68' mulch pile fire in a facility "limited" to 12' by MDE), and provide no assurances of safeguards what-so-ever. The only reliable safeguard is to limit it to M1/M2 zoning, as per the current laws (CB-20).

Of the more than 10,000+ farmers in Maryland, not a single one of them has an NWWR permit. Obviously, actual farmers have no need or desire to be a licensed NWWR operator to process the very limited quantities of NWWR materials truly generated/grown on-site. There has been no demonstrated need or outcry for farmers to become NWWR operators. Farmers currently compost the limited amounts they generate on site, burn it, bury it, or haul it to a licensed NWWR processing facility if needed. They certainly do not have need of expensive commercial volume wood grinders for agricultural use that are required of an NWWR facility. If you really mean to not permit Industrial Mulch Manufacturing on Ag Pres or RR or RC, then do not permit trucking of natural wood waste onto these properties – it's really very simple. Yet CB60 as written permits unlimited trucking and grinding. With that open door to commercial exploitation of Ag Pres lands, it is truly unbelievable that anyone can say with a straight face that it is not Industrial Mulch Manufacturing (Council Members Sigaty and Fox please take special note).



## MULCHING OF FARM GROWN MATERIALS FOR ON-FARM USE VS. COMMERCIAL /INDUSTRIAL GRINDING OF TRUCKED WOOD WASTE

### ► COMMERCIAL/INDUSTRIAL NWWR PROCESSING

- **Not Agricultural Based:** Raw materials originate primarily from Off-Site commercial land-clearing operations
- **Industrial Scale:** Significant quantities and near continuous grinding and trucking of materials onto and off site
- **End Use: Commercial sale.**



### ► AGRICULTURAL FARM BASED PRACTICE

- "From the Farm – For the Farm"
- **Agriculture Based:** Feedstock is originated on-site, crop production or maintenance activities.
- **Small Scale:** Seasonal/Temporary/intermittent processing and transportation of materials.
- **End Use: agricultural purposes** - soil amendment, water retention, weed blocking, erosion control, no-till farming, etc.
- Currently done without need of CB60-2017!



CB60 is not about farming. It is about NWWR operators collecting money for receiving tons of imported wood waste, and grinding, selling, and exporting the finished product. And, that is the very definition of an 'Industrial Use', fraught with well documented hazards to safety and quality of life.

| CB60 Problems                                                                                                                               | Specific Concerns                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Solutions                                                                                                      |
|---------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------|
| <b>CB60 Violates Zoning Intent</b> – Inconsistent with character of existing RR and RC Zoning                                               | <b>CB60 Permits Industrial Scale Mulch Manufacturing on Ag Pres, RC and RR Land:</b> <ul style="list-style-type: none"> <li>• 2 Acres = 24,000 TONS output per Year</li> <li>• 2 Acres = 75 Dump Trucks/Day</li> <li>• 2 Acres = Ranks 5<sup>th</sup> in MD among Industrial NWWR Operators</li> </ul>                                                                                                                                                                                                                                                                         | Limit NWWR to M1/M2 Zoning only, by conditional use, Establish <b>safeguards against dust, airborne toxins</b> |
| <b>CB60 Violates Health and Safety Zoning Provisions, 100.0, (A).</b><br>Legislative Intent - "secure safety from fire and other danger..." | <ul style="list-style-type: none"> <li>• Proven <b>Drinking Water Aquifer Contamination,</b></li> <li>• Proven <b>Toxic Leachates,</b></li> <li>• Increased <b>Fire Hazards</b> beyond Normal Rural Levels,</li> <li>• Continuous <b>Noise Pollution</b> (Grinding, Trucks, Alarms),</li> <li>• <b>Trucking Safety Hazards</b> on Small Narrow Rural Roads,</li> <li>• Dust Pollution, Fungal Spores <b>Health Risk,</b></li> <li>• <b>Traffic Congestion</b> by Large Trucks,</li> <li>• <b>Lowered Quality of Life,</b></li> <li>• <b>Reduced Property Values</b></li> </ul> | <b>Same As Above</b>                                                                                           |
| <b>CB60 Violates Ag Pres Easement Restrictions</b>                                                                                          | "No Commercial Use"<br>"No Industrial Use",<br>Per Easements                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | <b>Eliminate Ag Pres Exceptions for Tree Farms and Emergencies!</b>                                            |

The above chart summarizes my concerns and proposed solutions. I strongly urge the County Council to limit NWWR to M1/M2 Zoning only and establish safeguards against dust and airborne toxins from those industrial sites. I ask you to vote down CB60, which is a threat to public health and safety. Safeguard our quality of life in Howard County. Anything less will bring the threat of these Industrial Hazards being sited near, or into, every rural residential community in Western Howard County on RC, RR or Ag Pres lands.



## Sayers, Margery

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**From:** James Nickel <james.nickel55@gmail.com>  
**Sent:** Friday, July 21, 2017 11:07 AM  
**To:** Kittleman, Allan; CouncilMail  
**Subject:** CB60 Public Hearing 17 Jul 2017  
**Attachments:** JN - CB60-2017 Testimony 17 July 2017 - Final.pdf

Howard County Residents,

I suspect everyone here knows that a public hearing was held on 23 proposed Council Bills this past Monday. The hearing continued until midnight and not all that signed up to testify were able to give testimony that evening. A continuation of the hearing is scheduled on 11 September beginning at 6pm. Those who were unable to testify will be able to testify at that session.

You may be interested in reading a Baltimore Sun article about the testimony that evening here:

[Council hearing leads to tabling of AFPO, mulching bills until September](#)

I'd like to add some additional observations.

Continuing with the DPZ theme of non-enforceable requirements, the Director of DPZ pointed out that as an accessory to farming, the revenue generated from a mulch/compost operation authorized by CB60 must be a minor part of the revenue generated by the farm. Which immediately raises the question, "How would DPZ enforce such a regulation?" Would DPZ require the farm to provide tax returns for verification? Proof of revenue came up at the Task Force meetings of 2014-2015. The overwhelming and emphatic response from the farmers present was .... it was none of the County's business. Not negotiable.

As mentioned in the Sun Article, Council Member Sigaty correctly pointed out that Erich Bonner in Woodbine was a "bad apple" and it's not fair to judge other farmers by his operation. I agree. However, CB60 doesn't prevent "bad apples." The fact remains that this "bad apple" has been operating in violation of Howard County regulations for over 7 years. The representative from the Law Offices stated their objective is to obtain abatement and not collect fines. After 7 years of operation in violation of Howard County regulations, it's more than fair to say that the objective of DPZ and the Law Offices is a great big FAIL. How the County Executive and DPZ can continue to claim that DPZ enforces regulations boggles the mind. The general opinion of the residents is that DPZ doesn't want to enforce the regulations on this operator.

It escapes me how sponsors of CB60 can admit that operator is a "bad apple" and can write CB60 that would exclude that very same operator from Howard County regulations and oversight simply because the operation is on a MALPF property. I acknowledge that the Director of DPZ has stated in writing and in testimony that they are "considering" amending CB60 to include MALPF properties. On a separate item, the Director did state that the emergency provisions of CB60 will be removed from CB60. Why is it so difficult to state that CB60 **WILL** be amended to include MALPF properties?

Council Member Sigaty referred to a letter from Bob Orndorff stating that he has no plans to operate an NWWRF in Dayton and has the property up for sale. I've seen that letter. I think that property went up for sale in 2015. Unfortunately for Mr. Orndorff, the residents of Dayton also know that he planned to restore the original Dayton Elementary School [the first integrated school in Howard County]; it was leveled shortly after he obtained approval to build RLO Headquarters. Dayton residents also know that he stated at the 2013 Comp

Zoning testimony that planned to demolish the deteriorating blue house behind RLO HQs. It still stands. It should not be a surprise that Dayton residents receive his pledge to not have an NWWRF on his Dayton property with some skepticism.

That aside, I'm willing to accept on face value that Mr. Orndorff will not start such an operation. I'll take his word that he's going to sell that property. What if someone like Erich Bonner buys that property. CB60 isn't about named owners, it's about what can or can't be done on a piece of property. No one has control over what a current owner or future owner can do with their property other than what is allowable and enforceable. Keep your eyes on that, not the name of an owner.

The more I consider it, the more I'm convinced that a "tree farm" exception is irrelevant. The amounts of mulch used by tree farms are insignificant. The only reason for any farm to make mulch is to collect dumping fees for vegetative matter, convert it to mulch and sell it.

Kudos to Council Member Calvin Ball for attempting to get the Director of DPZ to agree to meet-with the opposition. Mr. Ball tried hard, several times, but the Director of DPZ was resistant and stated he needed to consult with the sponsors of the bill. The first word that comes to mind is "pathetic."

I think everyone will agree that there is misinformation being spread about CB60. The disagreement is who are the guilty parties of that misinformation. I think it would be quite difficult to come to agreement on what CB60 should say if we can't agree on the facts.

There was a "lively discussion" between Council Member Greg Fox and John Tegeris on the difference between ZRA 160 and ZRA 180 [CB60] with respect to restrictions on ALPP properties and health risks. Mr. Fox stated what's the difference between 1 acre in ZRA 160 and 2 acres in ZRA 180. Mr. Tegeris responded it was 1 acre with no commercial sales. Mr. Fox repeated his question, of what is the difference between 1 acre and 2 acres. Mr. Tegeris responded with 1 acre with NO COMMERCIAL SALES. That volley continued ...

I have tried to make the point, repeatedly, that it's the amount of mulch that can be produced/acre that is most relevant in determining whether an application is industrial. Using Grant County Mulch in Frederick as the model, 12,000 tons/acre can be produced annually. That is what they do. It might be a fair question to ask how many thousands of tons represents a hazard. I'll step up and say no one knows and there almost certainly isn't a "bright line." I'm certain there is a difference between laying 10 yards on your landscaping once in the spring and a 2-acre operation that produces 24,000 tons of mulch through 9 months+ of the year. What I also know is that House Bill 171 requires MDE to do an extensive study that will look at details of health risk from mulching and composting operations. The results of that study and their recommendations will be invaluable. It is extremely disappointing that there is so little interest on the part of County Government officials in having a better understanding of the health risks before expanding the production of mulch and compost beyond what exists as of this date. Is the selling of mulch and compost so important that you're willing to risk the health of Howard County residents?

Can anyone in Howard County Government tell me what is so pressing about expanding the production of mulch and compost beyond what exists today?

Also attached is a copy of the testimony I gave on 17 Jul 2017.

Best Regards,



## Testimony to Howard County Council regarding CB60-2017 provided on 17 Jul 2017

My name is James Nickel residing in Dayton, Maryland. I oppose CB60-2017.

Beginning 29 April, I wrote the County Executive and Council Members Fox and Sigaty regarding my concerns on the health risks of mulch manufacturing. That correspondence has fallen on deaf ears; I never received a direct response to the specific points made. I was only referred to a "Fact Sheet" prepared by DPZ.

That "Fact Sheet" was rife with errors, baseless claims, and undefined tests pretending to manage health risks. One example was a "soil test." There was no information about what tests would be performed or if those tests were relevant.

This "Fact Sheet" listed groups that were consulted in preparation of CB60. **Nowhere did it mention the Health Department.** When DPZ briefed the County Council on 10 July, they presented the groups they consulted. **Again, no mention of the Health Department.** When I asked the County Executive about the comments from the Health Department to the Suffolk County Investigation into water contamination at mulch and composting sites there was no response.

I also never received a response to the fact that **of the 12,200 farmers in Maryland not a single operating farm was a Natural Wood Waste Recycling Facility [NWWRF]**. Nor did I receive a response to my projection that **a 2-acre facility could produce 24,000 tons annually of mulch and that would rank 5<sup>th</sup> highest producer in Maryland.** That projection was based on REAL DATA from MDE using the Grant County Mulch operation in Frederick County. On RC, non-Ag Pres properties where up to 5 acres could be used, that would project an operation ranked in the top 3 of all NWWRFs.

I also wrote to the Maryland Secretary of the Environment and received a prompt reply from the Director of Land Management Administration, Hilary Miller [attached].

Ms. Miller agreed that while the Department had issued guidelines in 2012 that it was necessary, as required by House Bill 171, to further study the issue of "the diversion of organic material from **refuse disposal sites**". Note that Ms. Miller said, "**refuse disposal sites**" and NOT "**accessory uses to farming**".

**Ms. Miller further stated that the Suffolk County Investigation and the presentation by Dr. Velculescu summarizing the potential hazards associated with wood dust would both be included in their study;** two reports which the County Executive and DPZ have, by all indications, ignored. DPZ chooses to frame a "refuse disposal site" as "an accessory to farming" and pretend that it is not an industrial operation suited only to M1/M2.

**There is no justification to pass any version of CB60 until the study required by House Bill 171 is completed** and recommendations provided based on a thorough assessment of the health risks. I'm tired of being lied to. Kill this bill.



# Maryland

## Department of the Environment

Larry Hogan  
Governor

Boyd Rutherford  
Lieutenant Governor

Ben Grumbles  
Secretary

June 28, 2017

Mr. James O. Nickel  
4904 Green Bridge Road  
Dayton, MD 21036

Dear Mr. Nickel:

Thank you for your letter to Secretary Ben Grumbles regarding the potential health and environmental hazards of natural wood waste recycling and other organic waste processing facilities. The Secretary received your letter and asked me to respond on his behalf. The Department appreciates your interest in this matter.

As you point out in your letter, House Bill (HB) 171 – *Yard Waste, Food Residuals, and Other Organic Materials Diversion and Infrastructure - Study* requires the Department, in consultation with certain organizations, to study and make recommendations regarding the diversion of organic material from refuse disposal facilities. We will be convening a workgroup to assist the Department in this study over the coming year.

In 2012, the Department conducted an extensive review of composting operations with a diverse workgroup that culminated in the development of the new composting regulations at COMAR 26.04.11. Composting has the potential to release liquids containing nutrients and organic acids that can mobilize metals and that can act as pollutants if they are not properly controlled. In order to address this issue, the regulations include increased controls such as run off controls and location restrictions and a tiered structure for larger sites. HB 171 requires the Department to study and identify any applicable sanitary and public health concerns related to organic materials diversion, so these concerns will be reexamined over the 2-year study period. The Department will include the information in the Suffolk report in its study for HB171. We also appreciated your enclosure of the PowerPoint slideshow by Dr. Victor Velescu of Johns Hopkins University, which was a succinct summary of the potential hazards associated with wood dust. Although we have not yet examined his opinions from an epidemiological perspective, the concepts and evidence expressed will also be considered during the HB171 study.

Thank you again for your letter. If you would like to discuss this further, please call me at 410-537-3304 or contact me by email at [hilary.miller@maryland.gov](mailto:hilary.miller@maryland.gov).

Sincerely,

Hilary Miller, Director  
Land Management Administration

cc: Ben Grumbles, Secretary, MDE





## Sayers, Margery

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**From:** Shaw, Molly <mshaw@nvrinc.com>  
**Sent:** Wednesday, July 19, 2017 3:35 PM  
**To:** CouncilMail  
**Subject:** CB-60 - how do you plan to enforce??

Good Afternoon,

I was at the Council meeting on Monday, July 17. As a follow-up to that meeting, I would like the Planning department or the sponsors of the proposed bill to address HOW enforcement of the bill will take place if put in place with amendments.

According to the conversations on Monday night, the Oak Ridge/Bonner Property was allowed to continue operating because the permits are difficult to enforce? I can tell you that you can stand at the entrance of that property at 7am in the morning and by 7:30, 3 Ashplund tree trucks dropping off logs for mulching will arrive. Seems pretty easy to catch! If there was a "loophole" in previous legislation – it he responsibility of the County Council to recognize, act and CLOSE any loopholes? It is the responsibility of the planning/zoning/permits department to ENFORCE the laws enacted.

So, how does the County plan to enforce CB-60 if passed? Human nature is that if someone is given an inch and feels they will be able to take the mile – they will take the mile. That being said, how can the citizens of Howard County be assured that CB-60 with amendments, will be enforced? If you can't keep one "bad apple" from operating illegally, how do you intend to enforce the bill, with amendments, on those properties that may be allowed to have a mulching operation? Or, how do you keep people who do not have permits from having a mulching operation on their property?

If this has not been discussed, I think it needs to be a VERY active discussion and the plan needs to be presented to the citizens of the County.

My husband and I built our house ourselves, and the permit process was arduous, thorough and strictly enforced. Seems that large log trucks entering a property every day, all day, would be one of the easiest things to enforce.

Thank you,

Molly Shaw  
Financial Administrative Office Manager  
Ryan Homes  
Washington North & Washington East Divisions  
4700 Corridor Place, Suite 100, Beltsville MD 20705  
301-937-4060

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TESTIMONY BY RICHARD C. GOLDMAN RE: BILL #60-2017 BEFORE HOWARD COUNTY COUNCIL –  
JULY 17, 2017

Hello, my name is Richard Goldman. I live at 10775 Judy Lane in Howard County, Maryland, 21044. For over 30 years I worked in real estate development.

I served as co-chair of the Task Force TO STUDY MULCHING, COMPOSTING, AND WOOD PROCESSING which exhaustively investigated and recommended changes to current regulations.

I'm here to summarize the work of the Task Force.

3 years ago the Howard County Council appointed this Task Force with 18 representatives drawn from major stakeholders in the county. It specifically included the following citizen groups:

- The Dayton Rural Preservation Society
- The Concerned Citizens of Western Howard County, and
- The Howard County Citizens' Action Association

We began by having all representatives identify their key issues. In over 23 meetings and work sessions we did the following:

- Heard testimony from all interested parties
- Gathered input from experts from the government and the not-for-profit sectors related to the environmental, land use, and health & safety issues identified by the Task Force members
- Discussed these issues within the Task Force
- Created a matrix with tiers of composting and mulching activities and the proposed regulations governing these activities
- And approved a set of recommendations that served as the basis for the bill before you today

Our goal was to conduct open and objective fact-finding and develop recommendations that addressed quality of life issues in Howard County.

The Task Force's recommended regulatory framework focused on three key considerations:

#1 - The environmental and safety risks that experts identified as relevant for Howard County.

#2 - Balancing the needs of two key groups: farmers and those residing close to farms.

#3 - A framework that strengthens permitting and enforcement criteria.

The proposed bill provides safeguards and controls. It specifically addresses the real and relevant risks related to composting and mulching in Howard County.

IN CONCLUSION, our Task Force

- Extensively reviewed stakeholder concerns, scientific and environmental data from experts.

- Hotly debated the issues and risks and worked toward a compromise with all task force members including the citizen group representatives
- Recommended a new stronger regulatory framework that is a significant improvement over the current regulations and practices.

The task force collectively invested over 2,000 hours of work and much discussion to arrive at our recommendations.

In my opinion, the proposed bill will govern the safe operation of activities by farms which are a vital part of our community.



**Sayers, Margery**

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**From:** Richard Goldman <rcgoldman10775@gmail.com>  
**Sent:** Wednesday, July 19, 2017 11:05 AM  
**To:** CouncilMail  
**Subject:** Richard Goldman testimony on Bill #60-2017  
**Attachments:** RC Goldman Testimony - HOCO Council hearing 07-18-2017 submitted.pdf

Hello Council mail -

I wasn't called to testify on Monday, July 17, and I will be out of town during the next two scheduled hearings. So I'm submitting my testimony in support of this bill for the record. Thank you.

Richard Goldman

## Sayers, Margery

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**From:** susansiegler@verizon.net  
**Sent:** Tuesday, July 18, 2017 7:27 PM  
**To:** CouncilMail  
**Subject:** Opposition to CB60 Without Major Amendments with a Personal Opinion

Subject: Opposition to CB60 Without Major Amendments

County Council,

I agree with everything the following form letter contains but would like to add my own personal note. Western Howard County does not have the luxury of "city water" - we must drink and bathe in the water that is provided by our wells. I'm not sure why Howard County decided to provide only some of its residents with purified water and excluded other residents from that benefit. Allowing dumping of industrial mulch which could contaminate the only water supply on which many of Howard County's residents depend. Passing CB60 is an unethical position to take. My mother, who lives in Toms River, New Jersey, purchases bottled water every week so that she does not have to drink the tap water which was contaminated decades ago. I doubt that Howard County would like the distinction of being added to the list of cities where the water is not safe for drinking.

My own level of trust in County Executive Kittleman is not very high. Imagine my reaction when I received a notice in the mail about the Septic Savers program - providing \$100 reimbursement for regular septic tank pumping - when I pay more than \$2000 every year to support the Waste Management program for Glenelg High School Septic program. Pumping a septic tank is a minimal expense compared to the amount I pay yearly for the Waste Management program and, yet, no one has offered to reduce my expenses for the Waste Management fee. The worst part is that because it is a fee that is paid to the school district it is not a legitimate tax deduction for my income taxes.

The most egregious part of CB60 is that it will allow industries to pollute our groundwater, our air and increase the possibility of uncontrolled fires in our area. The loopholes may please business but is in direct contradiction to what is advertised in the Septic Savers Incentive program which states "Regular pumping will help protect our waterways by reducing groundwater pollution and failed septic system issues, saving homeowners thousands of dollars in potential damages." CB60 and its loophole legislation will increase groundwater pollution - the opposite of what is promised by the "Septic Savers Program".

We are very concerned with CB60 which will allow for industrial mulching and composting on ag preserve farmland and on all of RR/RC throughout Howard County. The current zoning language contained in CB60 is unacceptable and not only puts the rural communities at risk for well-documented safety and health concerns from industrial mulching, but now also makes this a countywide issue.

As it currently reads, there are clear loopholes that will allow those posing as tree farmers to conduct industrial mulching activities from 2 acres up to 5 acres, depending on whether on Howard County ag (ALPP), RR or RC parcels. This will result in unacceptable risks to ensuring the well-being of children, families and all individuals living in affected areas. Furthermore, DPZ has demonstrated a clear inability to enforce clear violators of CB20. We now ask, how can DPZ protect our families when loopholes in CB60 will allow for industrial mulching to occur, making enforcement even more challenging?

County Executive Kittleman, through CB60 introduced on his behalf, has simply not keep to his campaign promise to ensure that there is no possibility of industrial mulching on both Howard County and State of MD ag preserve parcels, despite his recent claims to the contrary. There is no separate section in CB60 that deals with State of MD ag (MALPF) restrictions (only Howard County



ag). We worked hard to get State of MD ag restrictions included in the current zoning language for CB20 and are disappointed that it has been omitted from CB60.

There are many other key amendments needed in CB60 to make it acceptable to the health and well-being of thousands of families throughout Howard County. We are counting on the County Council to course correct with amendments added to CB60 to clearly prevent any chance of industrial mulch facilities from operating throughout farmland in Howard County, other than in M1/M2 commercially zoned land. This is the only way our Councilmembers will ensure everyone in potentially affected areas continues to be protected by current zoning regulations defined in CB20. Please take this matter seriously and add needed amendments to CB60 that we feel is unacceptable as it now stands.

Thank you.  
Susan Siegler  
Glenwood, Maryland.

## Sayers, Margery

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**From:** Debbie Burgio <debbie.burgio@verizon.net>  
**Sent:** Tuesday, July 18, 2017 9:34 AM  
**To:** CouncilMail  
**Subject:** CB 60-2017 Thoughts

Dear County Council Members,

I had the distinct pleasure of attending last night's (7/17/17) meeting of the County Council. Each time I attend I am impressed by the amount of work that all who play a part in the local government do. It takes a large number of very dedicated people to effectively run the county with regard to the best interests of all who live here. Last night's late night only deepened my respect for the service that each of you provide to our county.

My attendance was prompted by my concerns with CB 60-2017. I live in Dayton, less than a ¼ mile from the Orndorff farm. We have lived here for 10 years, (12 years in Howard County), returning to the county after my husband's 20 years of service in the Navy. He grew up in Howard County in West Friendship attending West Friendship, Glenwood, and Glenelg.

We have the utmost respect for our farmer neighbors. Their hard work and value to all of us cannot be appreciated enough. Our concerns regarding CB-60 are in no way meant to be antagonistic toward the farmers or their true farming activity. Our concerns, as repeated by many, are about safety, health, the roads, air quality, ground water quality, noise, - basically quality of life issues. Of course, property value is also a great concern. We love living here and do not wish to move.

Having said my concerns, I was so pleased to hear the amendments proposed to the bill. Also I am encouraged by the on-going nature of this process. Obviously, it is not a done deal, and for that I am thankful. I appreciate the on-going work being done to ensure that farming activities really are farming activities and that the concerns and well-being of non-farming residents are both heard. Thank you for the discussion of amendments.

If I had had the opportunity to testify last night I would have said something like the following:

"Thank you for the opportunity to testify this evening. I, too, have concerns regarding health, safety, and quality of life regarding the possible effects of CB-60. Tonight I am hearing that previous concerns are being addressed and that amendments for this bill are in process. I am excited to hear this and I am greatly appreciative of this progress. I look forward to the continued discussion and seeing the improvements that can take place in the bill. Sadly, I realize that this process has become contentious at times. That is most unfortunate and does not reflect the attitude of all present. We are concerned, greatly even, but I do trust that the members of the Council are just as passionate about keeping Howard County safe as I am. Thank you for hearing the concerns of the residents of this part of the county."

Thank you County Council members for your leadership and great attention you are giving to this matter. I choose to be appreciative of your time and attention and encouraged that this matter will have a good resolution. Please know that not all of us came with 2x4's, but rather with a great deal of respect. Thank you for keeping us safe in the county.

*Blessings,*

*Debbie Burgio*



410-531-2271 (Home)  
443-244-3060 (Cell)

“He has shown you, O mortal, what is good. And what does the LORD require of you? To act justly and to love mercy and to walk humbly with your God.” Michah 6:8