



NOTICE OF VIOLATION WITH PENALTY

April 10, 2024

Heather Dear, Solid Waste Superintendent
Wicomico County Department of Public Works
P.O. Box 968
Salisbury, MD 21803-0968

RE: NOV-LMA-24-SW-185

Dear Heather Dear:

This is reference to environmental monitoring requirements for the Newland Park Landfill (the “Facility”) located at 6948 Brick Kiln Road in Salisbury, Wicomico County, Maryland. Refuse Disposal Permit 2020-WMF-0283 (Permit), issued on September 20, 2020, to the Wicomico County Executive, requires the Wicomico County Department of Public Works (County) to perform semiannual groundwater monitoring. Specifically, Permit requirements Part III. General Conditions F.2.b. requires the County to submit a semiannual report on water quality within 90 days of the close of every first and third calendar quarters. The County has an alternative sampling plan approved by MDE allowing monitoring to occur during the second and fourth calendar quarters.

The Maryland Department of the Environment’s Land and Materials Administration’s (Administration) records indicate that the County did not sample nor submit the Fall 2023 semi-annual groundwater monitoring report for the Facility. Additionally, Permit requirements Part III. General Conditions Q. Gas Monitoring 2.; requires the County to perform, at a minimum, quarterly sampling of gas. The reports of gas monitoring shall be submitted to the Administration on a semiannual basis along with other environmental monitoring reports. The Administration’s records indicate that 4th Quarter sampling of gas was not performed nor submitted.

Therefore, it is the Administration’s position that failure to sample and submit the aforementioned reports is a violation of Code of Maryland Regulations (COMAR) 26.04.07.10 as well Refuse Disposal Permit 2020-WMF-0283. State law allows the Administration to seek civil penalties in the amount of \$10,000.00 per violation, per day, for the violations described above. The Administration has decided to seek a civil penalty in the amount of \$6,000.00 (six thousand dollars). If you choose to settle this matter, please submit the delinquent reports and send a check for \$6,000.00 payable to the Maryland Clean Water Fund within the next 30 days to:

Maryland Clean Water Fund
Maryland Department of the Environment
P.O. Box 1417
Baltimore, MD 21203-1417

Please write the payment code: NOV-LMA-18-SW-185, PCA 13767, Object 7338, Suffix 626, on the memo section of your check.

The parties agree that the violations which are the basis for this NOV may be introduced as evidence in future enforcement actions, without objection, for the purpose of establishing a continued pattern or conduct of environmental violations and for determinations as to permits, licenses, and accreditations.

If you decline to settle, this matter may be referred to the Office of the Attorney General for further enforcement action. Please direct any questions or comments in this matter to Mr. Brian Coblenz, Chief of the Solid Waste Program Compliance Division at (410) 537-3315 or via email at brian.coblenz@maryland.gov.

Sincerely,



Tyler Abbott, Director
Land and Materials Administration

TA:bc

cc: Mr. Edward Dexter, Administrator, Solid Waste Program, LMA, MDE
Mr. Andrew Grenzer, Chief, Solid Waste Program, LMA, MDE
Mr. Brian Coblenz, Chief, Solid Waste Program, LMA, MDE