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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103

Mr. Robert DeMarco
Operations Manager
Anne Arundel County Department of Public Works
389 Burns Crossing Rd.
Severn, MD 21144

Dear Mr. DeMarco:

I am pleased to inform you that the U. S. Environmental Protection Agency (EPA) has selected Anne Arundel County's January 21, 2000 leachate recirculation XL proposal as a potential Project XL pilot, based on the proposal and information provided by you during subsequent telephone conversations and correspondence.

EPA will work with the County, the State of Maryland and appropriate stakeholders to develop the next stage of your XL project: a Final Project Agreement (FPA), which will set forth the expectations and commitments of Anne Arundel County, EPA, the State of Maryland, and other project partners for the proposed project. While only a signed FPA, not this letter, will represent final EPA approval of the project, Agency staff both at Headquarters and at Region III believe your proposal has significant merit and look forward to working with you to develop your project further.

Project XL was established to test innovative environmental strategies, and encourage excellence and leadership in environmental stewardship. EPA believes that Anne Arundel County's proposal -- a demonstration project involving the recirculation of leachate at a $\frac{3}{4}$ acre area on active Cell 8 at its Millersville Landfill to test ways to facilitate waste decomposition -- shows the potential to accomplish these goals. Specifically:

- S The project will enable the County to identify which operating factors will best increase the rate of waste decomposition, and thus most extend the operating life of the landfill and lessen the need for additional landfill space or other disposal options.

- S The expected enhanced biological breakdown of contaminants in the leachate is expected to decrease the quantity, and increase the quality, of leachate requiring treatment and offsite disposal, leading to decreased risks (to site workers and the community) and costs associated with leachate management, treatment and disposal, and lower long term potential for leachate migration into the subsurface environment.
- S Leachate recirculation is expected to reduce post-closure care costs and risks, due to the accelerated, controlled breakdown and settlement of the solid waste during active landfill operation.

In order to test leachate recirculation at Millersville, Anne Arundel County has requested relief from certain RCRA municipal solid waste landfill operating and design criteria. Specifically, the County seeks regulatory flexibility allowing it to introduce recirculated leachate, and (potentially) stormwater runoff, onto a test area of the landfill whose existing synthetic liner system (which actually exceeds RCRA Subtitle D design criteria) is underlain by a 1.5 foot low permeability (1×10^{-7}) soil subbase, where a two foot layer is otherwise required under RCRA.

In order to ensure that this project meets the Project XL criteria, that it achieves the enhanced environmental results mentioned above, and that the requested regulatory flexibility is appropriately granted, EPA expects that the County and other stakeholders will need to address in more detail the following project elements during development of the FPA:

1. **Gas Collection and Control:** EPA understands that the County is currently controlling landfill gas (LFG) at Millersville via an active gas collection system, and is conducting regular LFG monitoring, pursuant to plans approved by the State of Maryland. Moreover, EPA recognizes that the County is not seeking any regulatory flexibility with respect to Federal air requirements for this project, and that the County is willing to include additional LFG controls, and quarterly methane monitoring, to assure that any increase in LFG emissions caused by the recirculation of leachate is adequately controlled. EPA believes that it will likely be appropriate to include more specific information in the FPA on these LFG control measures, and to make these measures mandatory through appropriate regulatory mechanisms.
2. **Monitoring, Reporting, and Evaluation:** In early April of this year EPA issued a Request for Comment concerning the efficacy of landfill leachate recirculation projects generally. EPA would like to ensure that the data gathered in this project will be useful to this broader information gathering effort.
3. **Additional Superior Environmental Performance.:** EPA encourages Anne Arundel County to commit to redirecting some percentage of the money saved by the flexibility provided (e.g., avoided leachate treatment costs) to undertake studies or projects that would further the County's superior performance in integrated solid waste management practices.

EPA's XL project team assigned to your project will help the County scope and refine these areas of the project, as well as guide it through the development of the FPA. The EPA team assigned to this project encompasses the program offices with a direct stake in either the flexibility requested or the superior environmental performance to be gained, and will be led by Charles Howland, Region III XL project manager (215-814-2645). EPA Headquarters has assigned Sherri Walker (202-260-4295) as their point of contact. Mr. Howland and Ms. Walker will both be available to provide you with guidance and direction as you develop the FPA.

If I can be of assistance in expediting the development and review of your FPA, please do not hesitate to call me at 215-814-2900. I look forward to working with you and your staff to reach agreement on a mutually satisfactory XL project.

Sincerely,

Bradley Campbell
Regional Administrator

bcc:

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