

COUNTY COMMISSIONERS OF CAROLINE COUNTY
Health and Public Services (HAPS) Building
403 S. 7th Street, Room 111
Denton, MD 21629

Dissolved Air Flotation (DAF) Public Hearing
January 23, 2024

Present: President J. Travis Breeding, Vice President Larry C. Porter, Commissioner N. Franklin Bartz, III.

The meeting was **called to order** at 6:00 PM.

President Breeding welcomed the public to the official public hearing on **Resolution #2023-025, Temporary DAF Moratorium**. He introduced the Board, and staff members seated at the table. He then turned the attention to County Attorney, Stewart Barroll, to formally read the public hearing advertisement into the record.

Notice is hereby given that the Caroline County Commissioners will hold a public hearing on the subject of Resolution #2023-025, A RESOLUTION TO ADOPT A TEMPORARY MORATORIUM ON CERTAIN USE OF LAND OR STRUCTURES FOR THE STORAGE OF FOOD PROCESSING RESIDUAL AND/OR DAF RESIDUALS IN CAROLINE COUNTY FOR A PERIOD OF SIXTY (60) DAYS PENDING CONSIDERATION AND ADOPTION OF SUCH LEGISLATION AS THE COUNTY COMMISSIONERS MAY CONSIDER ADVISABLE TO PROMOTE PUBLIC HEALTH, SAFETY, AND WELFARE.

The Resolution adopting the moratorium was passed by the County Commissioners on December 19, 2023. Full Resolution is linked [here](#). The public hearing will be held on the above item on Tuesday, January 23, 2024, beginning at 6:00 PM in Room 111 of the Health and Public Service Building located at 403 S. Seventh Street, Denton MD 21629. To submit comment in writing, email info@carolinemd.org; visit <http://bit.ly/ccmdtestimony>, or mail to 109 Market Street, Room 123, Denton, MD 21629. Persons with a disability needing reasonable accommodation to submit testimony should contact the County Commissioners Office at (410) 479-0660.

Formal Presentation on DAF: Deputy Administrator, Daniel Fox, walked the public through a PowerPoint, which explained the basics of DAF and why the County has chosen to enact a moratorium.

- **Why are we here?** The County Commissioners were alerted to an issue involving the use of livestock manure storage facilities for storing Dissolved Air Flotation (DAF) residuals, which subsequently caused a nuisance to neighbors. The County has no regulations addressing the storage of DAF residuals and recognizes the need for regulations. In response the County implemented a 60-day moratorium in late December on DAF residual storage under certain circumstances to address the concerns raised by the community. The County is poised to formulate regulations pertaining to the storage of DAF residuals and wants to encourage public

participation to ensure a balanced and effective approach to the storage issues, starting with a public hearing this evening.

Testimony this evening will be limited to three (3) minutes per resident and is to pertain only to the *storage* of DAF residuals.

- **DAF vs. DAF Residuals:** DAF (Dissolved Air Flotation) - the actual method used to process wastewater that comes from any food processing plant in which dissolved air is injected into the wastewater. These air bubbles attach to particles causing them to float to the surface where they can then be removed by a skimming device. DAF Residuals – the semi-solid slurry of small particles of fats, proteins, and other fibrous materials that were removed from the skimming process.
- **County vs. State Role:** The County has spent the past few weeks gathering information to better understand both the State’s role and the County’s role regarding the storage of DAF residuals. **MD Department of Agriculture (MDA)** – regulates the application of commercial fertilizers, organic nutrients, organic wastes, soil conditioners and soil amendments that are *applied* to farmland. DAF residuals are registered as a soil amendment/conditioner with the MDA State Chemist and are permitted to be applied to land in accordance with a Nutrient Management Plan. **MD Department of Environment (MDE)** – investigates any complaints regarding spills and/or illegal discharge of pollutants to the waters of the State. Caroline County has no authority to prohibit the *application* of DAF to farmland. MDA and MDE do not regulate the storage of DAF residuals therefore, Caroline County is not preempted by the State regarding the *storage* of DAF residuals.
- **Moratorium:** The moratorium is to allow time for the County to consider the potential impacts of DAF residual storage and the potential development of regulations for the storage of DAF residuals. As part of the development of any regulations, the County will continue to invite public comment during the legislative process. This will not be your only opportunity to provide input on any proposed regulations the County may consider regarding the storage of DAF residuals.
- **Enforcement Action:** Any property that the County is aware of is in violation of the moratorium has been issued a cease-and-desist order. If we find that they have not stopped the activity, we will follow through with enforcement actions as appropriate through the Court System

President Breeding stated that representatives and elected officials from the Town of Ridgely would now give testimony regarding the potential DAF facility in Ridgely Town limits. President Breeding made the public aware that the County has not received any permit request for that future facility as of January 23, 2024.

Commissioner Anthony Casey approached the podium: Commissioner Casey stated that he’s representing the Town of Ridgely, and President, John Hurley, to express their support for the extension of Resolution #2023-025, and to extend the moratorium on any future DAF facilities in Caroline County. He stated the storage of food processing residual and or dissolved air flotation (DAF) storage in the unincorporated areas of Caroline County, just outside of corporate limits of the Town of Ridgely, is detrimental to the public health, safety, and welfare of the Town’s

residents. Such storage generates noxious odors that are detectable throughout the Town. Such storage also attracts large quantities of insects and other pests. The Ridgely Commissioners respectfully request the County Commissioners extend Resolution #2023-025 and consider and adopt appropriate regulations regarding the storage of such materials that will mitigate their deleterious impacts upon the Town of Ridgely, or any other municipality in the County.

President Breeding stated that before the public hearing starts, he would like to remind the public of the following: All comments should be directed to the President and stay relevant to the topic of discussion. Each citizen will have a maximum of three minutes to present their testimony. He ended by reminding citizens to communicate their thoughts and opinions in a respectful and considerate manner. He reminded residents that any testimony that was received before the hearing will be recorded and reflected in the meeting minutes.

Michael Woodward, Ridgely Resident: Mr. Woodward expressed his concerns regarding the “bad actor” in Ridgely that has created a nuisance for him and neighboring properties. He stated that DAF was being spread as late as December, and the stench and flies it brings, makes it impossible to work outside.

Justin Jarboe, Greensboro Resident: Mr. Jarboe stated that the facility currently storing and spreading DAF has no permit and is working illegally. He stated that as an electrical contract, if he works without a permit, he’s issued a stop work permit and find. He stated we need to eliminate this bad actor in our community.

Debbie Bostic, Ridgely Resident: Ms. Bostic stated that she has a concern regarding a DAF facility that may come to the Town of Ridgely. She stated that she is concerned for the animals and safety of those near Tuckahoe State Park. Ms. Bostic explained that the smell and ability for runoff into the streams is a major concern. The toxics and compounds that DAF report shows are alarming and should not be allowed so close to any town or elementary school. The number of insects that are attracted to these facilities is also a concern, as they could potentially spread disease. Ms. Bostic wrapped her comments up by expressing that research has shown that DAF spread on farms initially yielded nice crops, however over time hurt the crops and no longer gave healthy growth. The idea of losing value of homes near these facilities is also an important concern the County needs to keep in mind.

Bonnie Baker, Ridgely Resident: Ms. Baker stated that when she moved to Caroline County, she understood that she was accepting to live in a farming community. She explained that the normal odor of farming is doable and understandable. However, that small living country living will be abolished with the potential future of DAF facilities. Ms. Baker reminded the Board of past State of Maryland Governor, Shaffer, who called the Eastern Shore an outhouse before he was educated on the importance of the farming community here. She stated that there must be a better way to handle this issue.

Bob Sparks, Ridgely Resident: Mr. Sparks stated that he lived in the Town of Ridgely in the 1970’s when there was a clam facility, when they spread clam juice on farms. He stated that the facility gave off terrible odors however non comparable to the odor of DAF.

Cyndy Hurt, Henderson Residents: Ms. Hurt stated that she is testifying regarding her background as an equestrian who utilizes Tuckahoe State Park for riding and camping. She stated that the horses drink out of tributaries that run through Tuckahoe. She said that is a major concern due to hearing of the recent spill into Piney Branch. She stated that she doesn't know the true effect this would have on our well water, however she stated it is a major concern.

Matt Pluta, Choptank Shore Rivers, Director of Riverkeeper Program: Mr. Pluta stated he has been responding to complaints about the use and storage of industrial sludge/DAF throughout the Mid Shore since 2016. Complaints were received from a local bus driver concerned about the odors affecting students as they drove through Ingleside, MD; downstream neighbors in Ridgely, MD, witnessing industrial sludge/DAF leaching and being pumped directly into local waterways; neighbors in Trappe, MD, experiencing an outbreak and swarm of midges and odors that restrict outdoor use of individual properties; and from a farmer in Dorchester County concerned that industrial sludge/DAF being stored and used on neighboring properties would cause downstream pollution impacts that the farmer would ultimately be blamed for. Common across all these complaints is that the benefits of using and storing industrial sludge/DAF seem to be limited to the individuals generating, hauling, and spreading it, whereas the community effects, public nuisance, and water quality impacts are wide ranging.

The actions by Hartland Holdings indicate the operator's poor judgment when it comes to storing and disposing of manure or "other material" in the Hanover Foods lagoon, which undoubtedly had an impact on the environment and is cause for concern over the health and safety of the community. We urge the council to take these actions into consideration when determining how safe the storage of DAF material is for the residents and waterways of Caroline County.

As commissioners serving as the board of health, we suggest that you extend the industrial sludge/DAF moratorium until proper state regulations are established, and the commissioners and local community should work with state legislators to request guidance

Holly Porter, Delmarva Chicken Association Representative: Ms. Porter stated that she was testifying on behalf of the Delmarva Poultry Industry. She explained that the chicken industry has been a major part of Delmarva for 100 years and is a big part of agriculture. The DAF soil amendments are used and have been stored in Caroline county for years. She explained that it's upsetting that there appears to be a bad actor, who is vilifying the use of DAF. However, she clarified the important component of DAF and its benefit for the chicken industry here on Delmarva. She extended her appreciation to the Board for working on this issue. She stated that she looks forward to the continued conversation on the regulation of the DAF storage facilities in Carolien County.

Jimmy Johansen, Denton Resident: Mr. Johansen testified that although these facilities omit a terrible odor, he feels that DAF storage should not be denied or banned from Caroline County on the premise of odor alone.

Davide Briguglio, Ridgely Resident: Mr. Briguglio testified that he agrees with many comments that were started early, especially those about diminishing property values. However, his biggest concern is contaminating the drinking water. He stated that drinking water and contaminated wells

are an issue. He stated that he hopes the bad actor can get himself under control, and that he is in support of continuing the moratorium, until State legislation helps the County regulate this issue.

Tyler Geib, Ridgely Resident: Mr. Geib stressed that he lives a mile away from the potential new storage facility. He asked if there could be more options on how they contain DAF. He stated having it stored properly and not in a lagoon or open container, could help with the potential of a spill, contamination, and odor.

Jean Meyer, Greensboro Resident: Stated that she lives adjacent to the property of the current bad actor. She explained her fear of this person buying, and potentially having more DAF facilities in the county, that he has no intention of legally running. She stated that she would appreciate it if the Commissioners would shut DAF down completely, and she reminded the residents that if she gets sick, the bad actor won't be paying her medical bills.

Sophia and Dan Marron, Greensboro Residents: Mr. Marron stated that he and his are very concerned about the blatant disregard for the County's rules and regulations this current bad actor is doing. He stated that most people are used to the normal bad smells that come with farmland, however, it's the potential health hazards of the runoff that are concerning. He stated that his kids play in the creek, and what is running off into this stream? Ms. Marron brought up her small farmstead that she sells to local restaurants. She stated that between the smell, bugs, and potential for disease, she doesn't know what the negative impact will be on everyone's health.

Domingo Llanes, Caroline County North Little League President: Mr. Llanes, stated that his major concern is the children who play in Caroline Little League. He stressed that the amazing residents are what make the Town of Ridgely special, and he hopes the Board does the right thing by eliminating this potential nuisance and health risk to the community as a whole.

Phil Levell, Ridgely Resident: Mr. Levell stated that when DAF is applied properly to farmland the smell dissipates in a couple of days, however when it comes to the storage of DAF, the smell is constant. He explained that many people like himself live in the county to enjoy being outside on their property, however the smell and increase insects will illuminate that enjoyment for these neighboring property owners.

Stephan Fleegle, Greensboro Resident: Mr. Fleegle thanked the Board for hosting the public hearing. He stated that while listening to testimony he has yet to hear a positive regarding DAF storage in Caroline County. He stated that this would take away the enjoyment of people's home and property, he stated that the residents don't deserve this.

Mary Casson, Ridgely Resident: Ms. Casson stated that she is proud of the big turnout regarding this issue. She explained that she moved to Ridgely in 2009, and that after doing so much research into DAF application and storage, she can't find anything positive that it can bring. She stressed the Board to just say no to DAF in this County.

Stacey Frank, Ridgely Resident: Ms. Frank stated that her concerns about not being able to enjoy her own property due to the smell and safety concerns regarding this storage is mortifying. We don't need any contaminants reaching into our ground water. She stated that people come here to

camp and ride their horses, and no one will want to come if we have these nuisances. She stressed the negative impact on the county's tourism.

Al Martinez, Ridgely Resident: Mr. Martinez stated he is concerned about the health of county residents and the quality of life. He stated that Caroline County is a beautiful area to live in and he wants it to stay that way. He also brought up the issue of the uptick in truck traffic that will negatively impact County roads if these facilities move forward.

April Frankton, Ridgely Resident: Ms. Frankton expressed her concerns and thanked everyone else for their past comments. She stated that we have talked about the negative traffic impacting the roads and infrastructure. She also stressed as a concerned parent. She stated that she has two young children, and the potential for insects, birds, and other wildlife spreading disease to children and all local residents. Ms. Frankton went on to explain that childhood obesity is on the rise all over the United States, however Caroline County is lucky enough to have land that allows kids to get out and play. DAF would negatively impact any outdoor activity. She urged the board to not only listen, but also hear the concerns.

Wilbur Levengood, Goldsboro Resident: Mr. Levengood thanked the Commissioners for giving the community an opportunity to be heard. He stated that DAF is not a new problem in Caroline County. He explained that not only is health an issue, but the constant hauling of this material on county roads, which will continue to negatively impact roads. He stated that he is not in agreement with DAF storage and that 25 years ago they were not hauling into Caroline County.

Robert Boyles, Ridgely Resident: Mr. Boyles stated that he and his family are within 100 years of the location on Peaviner Road. He stated that this is not a typical agricultural waste. He pointed out the difference between housing a concentrated lagoon on a farming property, and the spreading of DAF on a field, which is then rained in properly. He stated that its clear no one is happy about the potential development of DAF storage, however he hopes it could be regulated and looked at the proximity of locations being to watershed. He also stated that the property owners should be responsible for a certain amount of funding for environmental clean up if there is a spill, as well as any health bills that could derive from DAF.

Kia Pierce, Ridgely Resident: Ms. Pierce stated if the State of Maryland mandates the County allow DAF storage, the money collected by the owner of these farms for storing DAF should be given back to the community. She stated there should be funds set up for property tax, as well as any health issues that may occur for years moving forward. She stated that she has heard one truck haul can amount to up to \$2,000. She also stated that the flies in the area are increasing each summer due to DAF.

Brian Smith, Greensboro Resident: He stated that as he's been listening to the testimony, he's heard a lot of scary words being thrown around such as, "industrial waste" and "Salmonella". He stated that he has also heard several times about the negative impact on the festivals that are held in the Town of Ridgely, as well as the potential for negative impact on well-water. He stated that the comments made are opinions, however they are not based in facts. He went on to state a fact about DAF is there has been an operating DAF pit outside of the Town of Ridgely for the last 5 years, it did not negatively impact the Strawberry Festival last year. In the last 5 years, now of the

fears have come to light. DAF can be handled properly if it's used and applied correctly. He stated that he understands the County needs to address the citizen who is not permitted, or properly handle the material. However, don't vilify DAF completely for Caroline County, due to one bad actor. He explained his fear of this coming down to regulating a negative smell. Farming will always have a smell to it, and he stressed his fears of the future of Caroline County farming, if the Commissioners limit this just to the issue of smell. He stated that although the County Commissioners are agriculture and farm friendly now, it may not always be that way. Mr. Smith stressed that farming needs to be protected.

Justin Smith Greensboro Resident: Mr. Smith testified on behalf of his mother who lives in Ridgely. He stated that this is more than a nuisance, and this could poison or kill local wildlife. This could drain into the Choptank, which could then drain into the Chesapeake Bay. He stated that this facility right to farm does not mean the citizens lose their right to clean drinking water. He also stated that their right to farm does not mean they can sidestep permits, or local and state regulations.

Kevin and Jamie Sullivan, Greensboro Resident: Ms. Sullivan stated that her and her husband operate a horse farm in Caroline County. She stated that in order to operate a commercial horse farm, we had to sit before the Board of Planning to share we would take care of all permitting issues that go with having a commercial business. She stressed that after hearing about the facility that is currently operating illegally, she asked if there have been any consequence or fines issued. She stated that if laws are being broken, there needs to be specific repercussions.

President Breeding stated that the County is working through those violation through the Circuit Court system currently.

Ms. Sullivan stated that she doesn't care about the "bad actor" she wants to make sure the if this continues, the regulations are strict enough, so we don't ruin the nice community we have. Mr. Sullivan stated that he has a concern regarding wildlife. He asked when do we get to a point that his is spreading disease to our chicken community? He stated he was willing to help as a subject matter expert.

Marty Collision, Greensboro Resident: Mr. Collision stated that he is the owner of the Cow Barn in Ridgely that hosts events and weddings. He also stated that he is a poultry farm. He stated that we shouldn't have a knee jerk reaction, and we need to do research and make an informed decision. He also stated that there must be a compromise between the agriculture community and events community.

Trent Swanson, Delmarva Resident: Mr. Swanson stated that he is speaking as a representative of Tuckahoe State Park. He stated that he helps host several outdoor events such as marathons, that riles on trail events. He stated that different groups of the community love and utilize Tuckahoe State Park. He stated that his ask is to please research and make sure if or when we allow this, we do it the correct and smartest way.

Bryan Saathoff, Ridgely Resident: Mr. Saathoff stated that he thanked the Board for allowing the citizens this time to give comments on this important issue. He stated that there is a lack of

principle being used. This bad actor should not be treated Caroline County and its residents with disrespect. He closed by stating "Do unto others as you would have them do unto you".

Tara Mildenberger, Centerville Resident: Ms. Stated that she is speaking today regarding an annual marathon she helps host that occurs at Tuckahoe State Park. She stated that people attend from several States, and the race is held in November. She stated that she fears potential health risk to both humans and animals in the area of the park.

Dennis Porter, Denton Resident: Mr. Porter stated that as a farmer, he hopes the Board can extend the moratorium until there are proper enforceable regulations in place. Concerns are: odors blowing from the west, flies and other insects, potential groundwater contamination - especially nitrates in shallow wells nearby. I know for a fact that many of the older homes in the area have wells less than 15 feet deep. I fully support the right of farmers to farm what they desire on their own land. However, I struggle with bringing in out of county/state commercial products that pose a risk to our community. Legislation is difficult due to sometimes unintended consequences. Make sure anything you enact does not adversely affect any current or future uses for farmers and businesses who are good citizens. Your goal should be to stop the bad actors without adversely affecting current and new business operations. Suggestions:
Continue moratorium.

1. Consider banning out of county/state DAF products. May be questionable due to commerce laws.
2. Consider law similar to biosolids where all storage is in closed containers and must be injected into soil.
3. Consider requiring all storage to be enclosed and under roof in pits. Certainly, would appear to be cost prohibitive.
4. Continue to pressure state - put out contact info for legislators - people are lazy or don't know. Links to each delegate and senator on social media and website.

DAF products are not inherently any more dangerous than biosolids or poultry and cow manure. There was quite a bit of misinformation about the danger to the community at the hearing. However, it must be handled properly. To me personally (I grew up on a dairy farm) there is a huge difference in the odor from cow and poultry manure and the stench from DAF residuals. DAF residuals smell like rotting meat which is essentially what it is. Also, the farm operations only emit during land application and cleanout of the animal buildings whereas the pits are being constantly agitated as solids are trucked in and dumped.

Alan Girardi, Easton Resident and Chesapeake Foundation Representative: Mr. Girardi stated that the Commissioners are not alone in dealing with the issues of DAF. He read comments regarding the smell and negative impact it has on communities around Caroline County. He then stated that no one really understands what is in DAF and that several different items are found when the material is tested. Mr. Girardi stated that good farmers that are applying and using this safely is important, and we need to make sure that we get the bad actors. He also quoted information stating that in the past the DAF stored in Caroline County was arriving from out of State. He then went on to state that there is a legislative solution in the works and the Department

of Environment and Agriculture are trying to work together. Mr. Girardi stated that he encourages the Board to support their citizens and contact their local representatives.

Debbie Fuentes, Ridgely Resident: Ms. Fuentes testified that she bought her dream home in 2011 due to the market being down. She stated that she fears the negative impact this will have on the value of homes will be devastating. Property values are going down, yet her taxes are going up. She also stated that if we did allow property storage of DAF, no one truly is able to make sure its being properly stored.

Tom Riley, Hillsboro Resident: He stated that he is concerned about the potential discharge that could come from improper storage. He also stated that he helps his son with his poultry houses which are regulated by the State. He stated that he's confused that there is no direction on DAF from the state. He asked if the Board would extend the moratorium until the State regulates the issue. He stressed that the Commissioners should not have to act alone, and the State needs to step up.

Tolbert Rowe, Greensboro Resident: Mr. Rowe stated that he wants to support all of the County residents that his is negatively affecting his fellow citizens. He stated as the "Green Garden County", it sounds like it turned to allowing people to come poop in our yard. He stressed the negative impact this is having on the business due to the smell. Quality of life is and should remain important. He stressed the need for recourse when someone is pooping in our yard, and the county has no regulation to help it. or clean up after it. He thanked the Board and wished them luck in fighting this issue.

This concludes the testimony from citizens during the public hearing. The following testimony was received online or mailed. Each piece of testimony has been copied into the minutes verbatim as received.

Andrew Myer, Ridgely Resident: As a resident of Ridgely my family and I live about a mile from a proposed location for a DAF tank at the old Hanover Foods property just outside of Ridgely. My family and I, as well as many town residents, are concerned about the potential health and quality of life effects of this holding tank and the noxious odor and flies that will come with it. This location will affect many county residents as it is in close proximity to Ridgely Elementary, Tuckahoe State Park, Martin Sutton Park, and Cow Barn Little League Field. Ridgely is well known for its outdoor activities, like the Strawberry Festival and activities at Atkins Arboretum, and Tuckahoe State Park. Children at the school will have to deal with thousands of flies and a terrible odor. We don't want the poultry industry ruining our town and our health and environment. We want to be able to go outside and enjoy our yards and all that this area has to offer without smelling rotting chicken sludge and being harassed by flies. Property values will be destroyed. No one will want to live here anymore. We can't let the poultry industry push us out.

Allison Rubenstien, County Resident: This will bring major negativity to Ridgely. With as many visitors as you have to your state park, Tuckahoe, you will greatly decrease the number of visitors with the smell this facility will produce. The town is a quiet and tranquil place that people

enjoy for many events and activities. The smell the DAF Facility produces will drive the patrons from.

George and Deborah Beston, County Resident: Dear Commissioners, In our opinion, the storage and application of DAF materials should be prohibited or strictly regulated and monitored in Caroline County. Prohibited would be our preferred option. Three years ago, we (and our neighbors) had to endure the most horrible odors ever that permeated our house, cars and clothes plus countless flies from the improper piling and application of this material on the farm directly across the road from our house. We also had to breathe it! This past December we could smell the stink from another improper application up on Cedar Lane a mile away. Many truckloads were simply pumped out onto the wet fields. I saw that myself. Was anyone held responsible for that?

We are used to the smells of chicken manure/litter, dust from combining and tillage, etc. We accept these as normal farming. DAF is not an agricultural byproduct. It is an industrial waste product. Who really knows what is in it and who monitors the contents and supervises the transport, storage, and application of this material? Where will the next facility be? Does Delaware and/Virginia accept the use of this material (which is where a lot of it probably comes from)?

Thank you for your consideration.

Brad Sears, Ridgley Resident: Dear Mr. President and Gentlemen Commissioners: I write first to thank you for holding last night's Public Hearing re: Resolution #2023-025, Temporary DAF Moratorium, and secondly to add my voice to the generally excellent public comments offered during that meeting. The overflow public attendance at last night's meeting provides clear, unequivocal testimony to the seriousness with which the citizens of Caroline County take the matter of DAF processing in this county. While I very much appreciate the County Commission's obvious regard for the seriousness of this matter, I have four questions regarding the Temporary DAF Moratorium and the development of regulations governing the storage of DAF Residuals. I admit up front that I know little about the DAF process and ask the following simply as a concerned resident of the Town of Ridgley. Re: the Scope of DAF Regulation: Last night's meeting focused on DAF Residual Storage. Do the hazards of DAF processing not include other parts of the DAF process? Shouldn't a comprehensive risk assessment be performed covering the entire DAF process before the Commission attempts to regulate what appears to be only one aspect of it? (I will argue that what we don't know about other hazards of the DAF process—or, at least, what have not been publicly explained about them—could easily have unintended consequences later.) 2. Re: the DAF Moratorium. Does a 60-day Moratorium provide sufficient time to create, review, refine, and implement appropriately comprehensive DAF regulations together with clearly defined enforcement mechanisms and responsibilities? (I will argue that the Moratorium should be extended to allow the County Commission sufficient time to develop whatever regulations are necessary to ensure that DAF end-to-end processing does not negatively affect the health and welfare of this county. I do not know how long the process might take, but experience has taught me that allowing enough time to do a good job now will likely save countless problems in the future.) Re: the Goal of Regulation. On page one, slide two of last night's handout, the Commission states that the reason for "encourage[ing] public participation [is] to ensure a balanced and effective approach to storage issues...." While I applaud the Commission for inviting public participation in this matter, I don't understand what the terms, "balanced and effective" mean. Could you elaborate on what is meant by those terms. The Legislative Process: Last night, the

Commission mentioned that any regulations developed would need to go through “the legislative process.” Could you explain why that is necessary? As I read the “Duties & Responsibilities” of the Board of Caroline County Commissioners, the first is to, “Enact County laws and establish County policies.” (source: <https://www.carolinecounty.org/327/Power-Duties>) Moreover, the Maryland Association of Counties’ “2019 Newly Elected Officials Orientation” web page, under “Public Local Laws/Code Home Rule” states: “

Commissioners can enact, amend, or repeal local laws on a wide array of matters. Most powers granted Charter counties also granted to Code counties. General Assembly may still enact public local laws covering an entire class of Code counties, but not for one single Code county.”(source: <https://www.mdcountries.org/DocumentCenter/View/2966/1-Code-home-rule-charter-and-commissioner-government-comparisons--UPDATED-OCTOBER-2018-002?bidId=>)

So, could you clarify why a regulation passed by—and impacting only—Caroline County needs to go before the State Legislature?

Lori Willis, County Resident: As a nearby resident of the proposed animal rendering plant and am ardously expressing my disdain and disapproval for this location. Why is it that all beautiful land left on the shore must be sacrificed for such miserable projects? Also, the proximity to Tuckahoe State Park is unacceptable and could be adversely affected. Please do not allow this to take place so near our most treasured park.

Jonell Caliskan, County Resident: Hello, I’m concerned about the possibility of this animal parts rendering facility being so close to Tuckahoe State Park. We frequent the park often and would hate to confront noxious odors, loud trucks, more gnats, flies and mosquitos and possible drain off/contamination issues to the local water. Thank you for your time and serious consideration of negative impacts of this type of facility

Karen Mack-Jones, Preston Resident: Hello, As a resident of Caroline Co, a long-time user of Tuckahoe State Park, and a lifelong advocate for the Chesapeake Bay and its watershed, I would like to register my opposition to the DAF facility proposed for the Ridgely area.

Lisa Fantinato, Ridgely Resident: We need to keep this OUT of our area! And take measures to be sure this type of processing stays out of our town and county! There is no redeeming quality for a company that processes sludge & has no real way to protect people and animals from the effects of their process the exposes everyone and everything to degraded air and basically degraded living if this atrocious smelly process comes to our little town!! The charm of what’s left of this town will become lost with the blanket smell of sludge. The DAF processing will destroy Ridgely as we kno it ! The smell will keep people from coming here and buying homes, it will cause people to sell and move out of town & could eventually cause lower property values ? If people even want to come here after that comes to town - Not to mention if people going to events here aka Strawberry festival. , Jousting , Christmas etc will also be subject to the smell and health effects from the bad “air” & even if they’d consider coming here it may also be a factor that hurts the community rather than promotes its events and helps it ! City and county leaders also need to say NO ! Not to mention what long term exposure for residents could cause serious health concerns!

SAY NO - NOW -Stopping it now is alot easier than trying to battle “long term” what comes along with this awful factory! SAY NO put a moratorium on this awful idea!! Stop it NOW !

David, Garnette, Ella and Iris Hines, Ridgely Resident: I am writing to express my strong opposition to the proposed livestock manure storage facility for storing Dissolved Air Floatation (DAF) in Ridgely MD. My family lives just a few miles from this site, as do many others. Lister Estates, where I live, has about 90 homes. Ridgely Elementary School isn't far away either, as well as Tuckahoe State Park. DAF sludge is toxic and has an extremely foul odor. The odors contain several toxic compounds including toluene and phenols. I have allergic asthma, which is triggered by certain things such as very strong odors. It was bad enough last year with the wildfire smoke we all had to deal with, and I can be certain it would be aggravated by this plant. Is the proposed facility an open pit? If so, the odors will travel for miles. Our drinking water for the town of Ridgely could be contaminated as well as area wildlife and natural areas affected if there was a spill, similar to the spill which happened in Hebron MD in March of 2023 where 35,000-50,000 gallons of sludge contaminated nearby wetlands. What sort of guarantees do we have that this wouldn't happen in Ridgely? Aside from the safety of our drinking water and air, another concern would be the impact this has on our property value.

Jessica Duerstine, Ridgely Resident: I attended the meeting and listened to testimony from my fellow Caroline County residents. I wanted to email you and add my voice to those who are concerned about the potential effects the proposed site on Peaviner Rd. would have on the quality of life for Ridgely citizens. When my husband received orders to Ft. Meade, we chose to make the Eastern Shore our home in spite of the lengthy commute because we missed the rural communities of our youth. We understand and respect agriculture, even if we're not farmers ourselves.

While some at the public hearing expressed that there are currently DAF sites operating near Ridgely, I think the Peaviner site is a little different. We live just across the field from the proposed site, I can see it from the second floor of my house. The wind blows from the west across the field, and we — and the town — would be downwind from this site. Over the last year or so, there have been several trucks coming through Ridgely on Central Ave. that smell like death. Having grown up in rural northwest Arkansas, I know what chicken litter and other livestock manure smell like. This is not the same. When these trucks pass by, the horrid smell takes your breath away and you don't want to breathe in until the air is clear. I am concerned that this smell will be constant throughout the town of Ridgely as it's carried on the wind from the Peaviner site.

We have also noticed an increase in flies. When we first moved to Ridgely in 2019, the flies were more abundant than we'd experienced in other places we've lived throughout our military careers — with the exception of Iraq. We purchased a few flyswatters and some fly paper and went on with life, happy to deal with the minor inconvenience if it meant we lived in an idyllic agricultural community. Last summer, the flies increased to an almost intolerable level. They're not the standard size houseflies either, more often than not they're extremely large and more difficult to deal with. We now own several commercial-grade fly zappers for use inside our house, and it seems we cannot keep up with them.

My husband, Joshua Duerstine, and I thank you for the opportunity to express our concerns about this matter. As I previously stated, we understand there are certain factors that come along with

living in an agricultural community. My concern is that this noxious odor and incessant fly population won't be something we only experience a few times a year like when farmers are spreading manure on the fields or harvesting. Thank you again for your time

Miriam Gregory, Ridgely Resident: I am very upset at the idea of the DAF tank and am completely against it. This will be a death sentence for Caroline county.

Norman Vargas, County Resident: I hope this message finds you well. My name is Norman Vargas, and I am a concerned resident of Caroline County. I am writing to express my strong opposition to Resolution #2023-025, which proposes a temporary moratorium on the storage of food processing residuals and/or DAF residuals in our county. The prospect of a DAF processing plant in our town raises significant concerns for me and many other residents. Firstly, there are well-documented health risks associated with such facilities. The emissions and by-products from DAF processing plants can have adverse effects on air and water quality, posing potential health hazards to our community. Moreover, the unpleasant odor generated by these plants is notorious and can significantly impact our quality of life. The noxious smells can permeate the air, making it uncomfortable for residents to enjoy their homes and outdoor spaces. This, in turn, may lead to a decrease in property values, affecting the overall economic well-being of our community.

I urge the Caroline County Commissioners to carefully consider the long-term consequences of allowing a DAF processing plant within our borders. It is crucial to prioritize the health, safety, and welfare of our residents over short-term economic gains. I request that the commissioners explore alternative solutions that do not jeopardize the well-being and harmony of our community. Thank you for your attention to this matter. I trust that you will make decisions that reflect the best interests of the residents of Caroline County.

Ursula Ferrier, Ridgely Resident: To whom it may concern, I do plan on attending the meeting tomorrow evening but I also wanted to make a statement in writing to the governing body. If it weren't for well-meaning people on social media, I would have had no idea that there was intent to put a DAF operation in the area; this in itself is appalling and nefarious. That being said, I'm sure my husband and I are not alone in our concern that this plant will firstly contaminate the air and ground water of all the local area and make the air quality noxious and vile. I am also a breeder of high dollar show horses and my business relies on their health and wellbeing. I am certain property values will be severely affected and as a homeowner, that in itself is enough to warrant further attention. I realize the chicken industry has a big lobby in this area but, I think in this instance you need to take the local residents more prominently into consideration. This area is just recently becoming more gentrified and attracting people who are breathing life back into an area that has been depressing for a long time. You will now be dealing with people who are not so easily brushed aside and are more educated and better prepared to fight for their rights; I am one of them.

Jacque Cowan, Concerned Citizen: Good morning ... I am writing to you in strong opposition to this Meat Rendering and DAF Sludge facility. I am not a resident of Caroline County but am a long-time member of the Tuckahoe Equestrian Center adjacent to Tuckahoe State Park. I have been driving across the Bridge from Anne Arundel County to horseback ride there for over 30 years. I am a trail event organizer there to annually raise funds for The Red Devils, a non-profit

who provides life-enhancing support services to breast cancer patients and their families while undergoing treatment.

I actually have some firsthand experience with rendering facilities. I took a contract to improve an animal control facility in Virginia that was next door to such a plant. Our adoption program was not as successful as it could have been because visitors were so offended by the stench. I ended my contract as soon as I made enough headway on what I had been hired for because I couldn't stand going to the shelter it stunk outside so badly. I couldn't get back to my temporary home soon enough to wash the stench off, and for the most part, I only went from my car to the shelter! So, I implore you, **please do not go through with building this facility near your beautiful Tuckahoe State Park.** The Park is home to so many wonderful resources and provides families terrific opportunities to enjoy it. I cannot imagine how this would affect the prosperity of the Adkins Arboretum as well.

Stacy Frank, Tuckahoe Equestrian Center: I am writing in opposition to the proposed DAF facility on Peaviner Rd in Ridgely. The sludge created by this process emits the foulest, nauseating, noxious stench you have ever smelled. These odors contain toxic compounds as well as known carcinogens. These compounds are known to cause serious health issues. There is great concern that this facility could contaminate ground water. The storage of this industrial waste in open top storage tanks or lagoons raises serious public health and environmental risks as well as quality of life concerns. Much of this waste is coming from outside the local area (from DE,VA,PA) and the large tanker trucks which transport it will undoubtedly damage local (and often unpaved) roads as well as the probability of overturned tankers, risks to motorists, cyclists, pedestrians and equestrians. This type of waste should only be stored in enclosed anaerobic digestion facilities in Industrial zones not agricultural zones where local residents would not even be able to be outside their homes due to the stench that is produced. Not to mention pollution of our wells and shared aquifer. There has also been dumping into our local Piney Branch Creek documented. After commuting into New York City as a financial advisor for 40 years, my husband and I built our dream horse farm directly across from Adkins Arboretum in Tuckahoe State Park. I would hate to think the place we now call home and have grown to love for it's beauty, fresh air, nature and peaceful rural character will now be ruined by the installation of DAF waste facilities

Alan Duncan, Queen Anne's Resident: Rendering plant in Virginia and Delaware ship industrial sludge to Maryland because of the state's lax regulation and oversight and it is up to Caroline County to set up some protections for our community that will not result in foul smelling odor, swarming insects, and polluted runoff that threatens communities and the bay to include Tuckahoe State Park, Atkins Arboretum and other homes and businesses in Caroline County. A huge tank containing malodorous leftovers from the chicken-slaughtering process on Maryland's Eastern Shore has spilled up to 50,000 gallons of material into adjacent wetlands and this could happen to any other facilities of this nature in Caroline County. Wicomico County Council voted 5-2 to set new limits on how and where DAF can be stored. The Chesapeake Bay Foundation has also documented the impact from the influx of industrial sludge into the Eastern Shore of Maryland and provides details on the impact of DAF on the environment. <https://www.cbf.org/blogs/save-the-bay/2023/12/stop-the-influx-of-industrial-sludge.html>. A 2023 study by the University of Maryland extension and commissioned by the Maryland Department of Agriculture, found that DAF "may be a poor choice to limit nutrient runoff". The nitrogen content of DAF was lower and

varied widely which makes its utility to farmers unpredictable at best. These DAF storage tanks harm surrounding communities and environments. Runoff from spills and excessive sludge application pollutes private wells, waterways, and the stench is so foul it is a public health concern for all of Caroline County. I would ask that appropriate legislation on DAF be drafted that will protect all the citizens of Caroline County.

Greg Thomas, Denton Maryland: I sincerely hope that this will be approved and ultimately this company will not be allowed to set up shop in our county. In my research into this process, I have read that the smell can carry for miles and that the health risks are quite bad. We already have enough issues with things leeching into the land and water. We need to stop this company from PA using us to dump byproducts that they don't want to deal with in PA. This will not put us at a physical risk but the smell and resulting increase in the flying insects will drive desire to live in the county right into the ground. Please do the right thing and consider the best interest of the county residents and not the revenue that will be generated.

Joyce and Wayne Bell, Easton Residents: Dear Commissioners: I respectfully request that you do not allow a DAF rendering facility to be constructed on Peaviner Road in Ridgely. The risks to the environment and local inhabitants are just too great. I believe the most responsible option to take concerning *any* DAF system *anywhere* in Caroline County is to continue the moratorium for *a minimum of* one year. There is currently a coalition of concerned citizens and environmental groups who are proposing legislative solutions to protect public and environmental health from DAF industrial sludge (see: <https://www.cbf.org/blogs/save-the-bay/2023/12/stop-the-influx-of-industrial-sludge.html>). A moratorium would give a window of time to see if Maryland's General Assembly could provide solutions to the many problems that often arise with DAF systems. A cursory review of the literature on DAF systems reveals that these are extremely complex systems.

I believe much research should be done prior to any design approvals, setback requirements, materials involved, site review, etc. Pressurization, chemicals, appropriate sizing and placement, oversight and inspections, and especially penalties for poor performance or negative impacts on the environment – all should be spelled out prior to approval. Due to the technical nature of these systems, it might be appropriate to engage the services of a neutral entity conversant in DAF issues to report back to Caroline County Commissioners at a future date.

DAF systems often violate their permits, as in the major spill in Hebron of March 6, 2023 (<https://www.cbf.org/blogs/save-the-bay/2023/12/stop-the-influx-of-industrial-sludge.html>; see also: <https://www.wmdt.com/2023/03/mde-documents-reveal-more-about-hebron-daf-spill-chesapeake-bay-fdn-calls-for-investigation/>).

Chesapeake Bay Executive Director, Alan Girard, said “Whether it’s transported, stored, or after it leaves the tank it’s applied on farm fields, all of that is expected to be accounted for by the state. Yet, it’s difficult, if not impossible, to get access to those records...Citizens in Wicomico County and the state of Maryland are left with burdens like these, where the material leaves an industrial facility, it arrives at a tank, there’s a major spill, and no one knows the source, its contents, whether it was tracked appropriately, and what its fate is going to be.” There is a clear lack of accountability with DAF systems. The University of Maryland’s 116-page document “Maryland Animal Waste Technology Assessment and Strategic Planning, September 2023,” contains much

useful information, especially pages 20-26. For instance, most DAF sludge comes to Maryland from other states (mainly VA, DE, and PA); in fact, MD is a “major sink for DAF from both in- and out-of-state sources” because our laws are so lax. Virginia, on the other hand, restricts the application of DAF residue spread in the state of Virginia, while at the same time allowing the construction of DAF systems. But Virginia systems must meet many specifications, from hydraulic loading rates to various recycle ratios. Finally, “Dissolved air flotation units should be enclosed in a building

GINNA TIERAN, EXECUTIVE DIRECTOR, ADKINS ARBORETUM: Dear Caroline County Commissioners: Adkins Arboretum, a 1,200-member non-profit organization, is a 400-acre native garden and preserve centered on conserving, appreciating, and enjoying the Chesapeake region's native landscapes through education, recreation, art, and community events. We host more than 30,000 visitors annually, including naturalists, school groups, and others who visit the Arboretum and Tuckahoe State Park to experience the joy and health benefits nature offers. Our network of meadows, trails, wetlands, and woodland streams provides an experience unlike any other region, and our special events are a strong draw from the local community. We've recently learned that the old Hanover chicken scrap processing center drained the entire wastewater lagoon into Piney Branch last year and now plans to build an open-air storage holding tank. DAF draining, processing, and storage negatively impact the health and well-being of all Caroline County residents, visitors, wildlife, and natural resources. Adkins Arboretum joins our neighbors, friends at ShoreRivers, and other concerned area residents in strongly opposing the proposed DAF storage, release, and expansion of the processing facility and others like it. Thank you for considering protecting Caroline County's natural resources.

SANDRA O'NEILL, RIDGLEY RESIDENT: I am writing to oppose lifting the Moratorium on DAF until legislation is enacted that provides protections to all, including the homeowners who have to live alongside these facilities. Informational articles released by the rendering association, indicate that smell is a problem with these facilities and is very difficult to control due to difficulty measuring "odor". I've lived in the rural area my entire life and understand that there are times when the air is redolent with smells, such as fertilizing the fields, or when the wind blows a certain way from the livestock. These DAF and similar facilities are not temporary and vastly reduce the quality of life for other residents when they impact the surrounding areas. As the commissioners are aware there are potential and existing public health concerns that will likely continue as the awareness and regulation of unsafe compounds occurs. All of our residents should have the expectation and right to live in safe and pleasant surroundings. Again, I do not support lifting the moratorium until fair legislation is enacted that protect each of us.

CHERYL JOHNSON, RIDGLEY RESIDENT: Thank you for reading my message. I live with my family and two small children outside Ridgely in Caroline County. I am writing to express my strong support for making the moratorium on the storage of food processing residuals (meat rendering) and/or DAF residuals in our county permanent. The prospect of a DAF processing plant in our county raises significant concerns for many people who live in this county. First, there are well-documented health risks associated with such facilities. The emissions and by-products from DAF processing plants can have adverse effects on air and water quality, posing potential health hazards to our community. Many residents drink the groundwater here, which is at significant risk of

contamination. Any tank can leak, and the consequences of a DAF/meat rendering tank leak would be catastrophic to the health of county residents, as well as the local waterways and Chesapeake Bay.

Moreover, the unpleasant odor generated by these plants is notorious and can significantly impact our quality of life. The noxious smells can permeate the air, making it uncomfortable for residents to enjoy their homes and outdoor spaces. One of the proposed sites is very close to Ridgely Elementary School, where children play outdoors every school day. I'm sure you want our children to enjoy being outdoors without having to breathe the noxious smells of rotting animal tissue. Please protect our property values and the overall economic well-being of our community. Facilities like these propose far more economic harm, health hazards, and emotional/quality of life harm than they will ever provide in benefit. I urge the Caroline County Commissioners to prevent the construction of any new DAF processing plants within our borders. It is crucial to prioritize the health, safety, and welfare of our residents over short-term economic gains. I am sincerely asking for your help and protection in this important matter. We are all trusting you to make decisions that reflect the best interests of us, the residents of Caroline County. Thank you very much.

Jane Terebey, Greensboro Resident: I am concerned about the proposal to lift this moratorium. I am not knowledgeable about the science involved or about alternatives to deal with this issue. However, from the little that I have just gleaned about the problem, I am wary about allowing it. What safety measures are proposed to counteract problems? There was a spill in 2023 in Hebron, Maryland. How can this be prevented in Caroline County? What is proposed to counteract noxious odors? I know when I purchased my property in Caroline County, the Right to Farm, which may bring some odors, was part of the agreement. I don't think this facility would be included in any Right to Farm. Please be conservative in your decision.

Shelly Parker, Ridgely Resident: Good evening, I have lived in Ridgely for almost 30 years. After hearing the comments about the proposed DAF facility near Ridgely and seeing the YouTube video from the Wicomico County residents about their woes, it is the first time that I considered moving. I am not an outdoorsy person but there are things that are required: namely grass cutting. The description of the stench and the flies can be visualized. There is the smell of manure but apparently this is so much worse. I enjoy fresh air until it gets too hot, and I have to turn on the AC. This facility will result in higher electric bills which I do not need on a fixed income. My health is an additional concern. I said that for the first time I have considered moving. But who would want to buy the property with this going on? Ridgely is a peaceful town. Let us keep it that way. Imagine any of the festivities held here in town during the DAF operations. Thank you.

Christina Dorset, Cordova Resident: I am not a resident of Caroline County, I am a Caroline native and now live in Talbot County. However, I am a member of Tuckahoe Equestrian Center and therefore feel I need to speak up. NO, please no. This beautiful rural county does not need the truck traffic, the smell or the potential health risks that DAF residuals present. I have family that have a well and live just outside of the town of Ridgely. From www.cbf.org/blogs/save-the-bay/2023/12/stop-the-influx-of-industrial-sludge.html The University of Maryland study estimates that in 2019 and 2020, 93.9 million gallons of DAF were imported into Maryland, containing 4.78 million pounds of nitrogen and 1.75 million pounds of phosphorus. In other words,

more than half of the region's industrial sludge is applied to Maryland farms. In addition to stream pollution created by unregulated runoff, there are concerns for wildlife, which is a key part of Eastern Shore life. Many farmers rely on hunting and fishing for food, and there have been concerns from other states where per-and polyfluoroalkyl substances (PFAS), also known as "forever chemicals," have been detected in deer where the application of wastewater sludge is practiced. We are now consuming venison that's been drinking from the very creek where runoff from the long-term storage of this waste is entering.

From MD Horse Council: There is a concern among some in the equine community that a meat rendering facility outside Ridgely could contaminate the groundwater and create potentially life-threatening conditions for horses, dogs, and trail riders, as well as anyone enjoying the Tuckahoe State Park. Also, there's the real risk of contamination to our drinking water, our wildlife, nature and tourism – like Tuckahoe State Park – less than 2 miles from this. Neighbors of these facilities describe the odor as "nauseating," "foul," "the most noxious stench you've ever smelled." DAF odors contain several toxic compounds, including toluene (known to cause kidney and liver damage when inhaled) and phenols (described by CDC as "a severe irritant and highly toxic systemic poison that is absorbed well by inhalation"), as well as known carcinogens such as chlorinated hydrocarbons. Another compound in DAF odors is dimethyl sulfide, which toxicological research reports "is known to cause deadly central nervous system (CNS) effects, including diaphragmatic paralysis and coma, accompanied by asphyxia because of oxygen depletion at very high concentrations of DMS."

Nancy and John Lynch, Concerned Citizen: We live on Day rd. the trucks that have been bring this awful smell to our county were using Day rd. to bring in the stuff about every 5 to 10 minutes trucks came all day and into the night. The smell just Hangs in the air never really going away. We are trying to walk for health reasons but that will be impossible With the smell. The roads will not be able to hold up with that kind of traffic. Been on Eastern shore all our lives have always had all kinds of manure smells, but this is not breathable.

Daryl Peckman, Ridgely: I believe putting this sludge factory in Ridgely has no benefits -only down falls - health to animals wild and domestic, the general atmosphere of a small town not yet destroyed by an industry that has no responsibility to the population or the environment-it will decrease property values thus affecting the future in many ways of our community. Before considering such a thing entering within certain distance of community or existing population it needs to be a much cleaner process!

Catherine Bergener, Queen Anne Resident: I am writing as a concerned citizen regarding the proposed DAF Meat Rendering Sludge Ponds in Caroline County. My family, neighbors and I all oppose this facility coming to our area. We currently live in an area that affects the bay, lakes, rivers and the tuckahoe state park. For a variety of reasons this is not a good idea. In addition to environmental concerns that include getting into the drinking water of the area. It is reported that the stench would be horrible. It is my understanding that there has already been issues with previous attempts citing the Hebron spill. I know that my neighbors and I have very strong beliefs about this. We want to protect our beautiful community and oppose anything that may have a negative impact on it. There has been no positive side proposed for the community. So, I ask that

you deny the proposed DAF facility and do what is best and right for the citizens in the community. Thank you for your time and attention to this matter.

Sonia Rodziwicz, Queen Anne Resident: This site is much too close to our communities, to our children, and to the gems of Caroline County - Adkins Arboretum and Tuckahoe State Park. Many of us residents enjoy the beauty Caroline County has to offer and the love spending time outdoors. A DAF site right in the next to what makes our area so wonderful will ruin it for everyone. Property values will go down. Any leaks could be life threatening to our dogs, horses, livestock. The smell will be horrendous. Why can't Hanover build this in PA? Why pollutes our area? Why ruin what little we have left in our county?? Wicomico County already had to deal with issues surrounding their DAF. Do not put our area at risk. We moved to the country for a healthier life. Not to be pushed out of here because of toxic fumes. Side note, why are they paying nothing for taxes? I have to pay taxes on the purchase price of my home, not what it was valued at. They purchased at almost 2.2 million, but value is assessed at \$227,000. How is that right?

Brandon Prager, Queen Anne Resident: Don't let Caroline County become a county full of sludge!! Maryland's "Loophole" Makes the State a Sludge Magnet Maryland has become a dumping ground for DAF industrial sludge. The University of Maryland study estimates that in 2019 and 2020, 93.9 million gallons of DAF were imported into Maryland, containing 4.78 million pounds of nitrogen and 1.75 million pounds of phosphorus. In other words, more than half of the region's industrial sludge is applied to Maryland farms. This is due to the lack of Maryland state oversight and regulation, that incentivizes producers from across the region to ship their DAF sludge to Maryland rather than contend with the more stringent laws in neighboring states like Delaware and Virginia, where a permit to transport and spread sludge is required. More information on these meat rendering sludge DAF ponds can be found here: <https://www.cbf.org/blogs/save-the-bay/2023/12/stop-the-influx-of-industrial-sludge.html>

Brianna Smentkowski, Denton Resident: Dear Commissioner, As a citizen of this county with school aged children and nephews/niece, I am opposed to this DAF residual permit. The proximity is too close to the residential area as well as the community baseball fields.

Sable Jones, Ridgely Resident: As a homeowner here in Ridgely Maryland I am against DAF storage in our town and community. It will ruin our town. It can and will cause health issues. No more outdoor events. Our children won't be able to play outside for recess at school or even at home without being attacked by disease ridden flies. Our town water can be contaminated. The owner if allowed of the DAF storage are and will be careless and won't follow regulations and rules. Too much is at risk here. Don't let our town turn to complete crap, respectfully of course. Sincerely a concerned citizen of Ridgely Md

Charles and Dawn Thomas, Greensboro Residents: We were at the public hearing Jan.23, 2024. Although it was mentioned often, the smell is not the worst issue. If this is coming in from other states and the farmer is being paid to take it #1 RED FLAG, apparently the other states don't want it because they know what it can cause. What else do you know that someone pays you to take.... There is a very serious potential of disease being spread by insects, which have significantly increased #2 RED FLAG who will be responsible for the medical bills? If there aren't enough

government people to control, regulate and test it and Caroline County doesn't have the resources, how is it going to be controlled and tested, if it is allowed? There has already been one spill no one knew about until recently, even though it supposedly was not DAF. How do you know what was actually in that pit and how are they tested and controlled? #3 RED FLAG what happens when our wells and tributaries are affected? Isn't pollution already a big enough problem? The increased large truck traffic on our county roads. Who is going to pay for the upkeep of the roads that certainly will be affected? #4 RED FLAG, the taxpayer again and not who is the cause? Understood that there is a legislative process, but you do have control in this situation to stop this before it gets worse and out of hand. There are a LOT of unanswered questions and information to be researched and understood. THE MORATORIUM NEEDS TO BE EXTENDED INDEFINITELY UNTIL THESE ISSUES ARE UNDERSTOOD AND RESOLVED.

Brittany Gross, Denton Resident: I'm writing this letter to voice my concern of the DAF storage in Ridgely Maryland. As I am not currently a Ridgely Resident, I am a parent of children that attend Ridgely Elementary School and I am a parent of children that play at Caroline North Little League baseball, as well as their Fundraising and Sponsorship Coordinator for Caroline north Little league. As a lifelong resident of Caroline County, I'm very concerned regarding the storage of this DAF in Ridgely, MD. This will cause major issues at our baseball field, especially. This will make an unpleasant environment for the children to play in and for families to sit and watch their children play ball. This past year we hosted ALL STARS for little league. This brought in over 4,000 people to our field from all over. This coming season we have the opportunity to host ALL STARS again, but all Major League, which is a HUGE deal in the little league community. Our board has been extremely proud to have been offered this opportunity and had the privilege to do this over 11 other districts. I recently took over fundraising and sponsorship in 2023. I have been working very hard the last couple months putting together community events for Caroline county at our little league field, including this coming march hosting a FREE Easter Egg hunt for all the local families in Caroline county.

I have many planned upcoming events being hosted at our field this upcoming year. I have worked extremely hard raising money from local business for scoreboards to be placed on our field this year costing around \$20,000. I have concerned this will put hold on many events going forward. Not only is this my only concern, but my main concern is also the health of all the children and residents that reside in Ridgely. As a nurse, I know this will affect many residents' health especially the ones who already struggle with underlying breathing issues as asthma, COPD etc. This will cause many compromises for our youth. One of these children being one of my own. All the children that attended the Ridgely Elementary, will never enjoy the time outside. Growing up in this county on a farm, I truly understand DAF has been around for quite some time. Do i truly think this will ever go away, No. However, Its not something that should be placed in town limits nor near town limits. I feel this is something that should be placed in a CLOSED storage away from as much as possible. I know that with it being in a closed storage container we are helping the elimination for odor but what happens when that opens and stirred? It's still going to contain odor in the area. What happens if this container starts to leak? These are all possible issues to occur. Lastly, I just want you guys to remember a couple things going forward with this matter. We have a smaller community with not a lot of options for these kids to do. If this does not get stopped Caroline North Little league will have to close. We have put in so much hard work to

making our fields better for the children and spectators it would leave many of us broken hearted. What will all these children do in our community? That's 150-180 kids that join our league every year from March-August. It's important to give these children something to do to keep them busy and out of trouble. This is something these children look forward to every year! I have faith in you all as our Commissioners of Caroline county and that you will take in to matter all the concerns for your residents and do the right thing for our community. Thank you for taking the time to read my concerns.

Vicki Granat, Ridgely Resident: I attended last night's public hearing regarding DAF storage in our County. I was pleased to see the number of people who, like me, adamantly OPPOSE having DAF sites for storage of DAF residuals in our community. After reading the resolution #2023-025 that you all signed, I have a few questions and comments on the planned path forward regarding this potentially life altering situation for our County. The moratorium was adopted/effective on December 19, 2023 and is effective for only sixty (60) days. Are you going to extend this moratorium? Can this be a "permanent" moratorium to protect the public health, safety and welfare of the residents of Caroline County and visitors to the County? Paragraph 4 of the resolution, states "This temporary moratorium is established to allow sufficient time within which to complete the pending study, finalize recommendations, and enact appropriate legislation". Who is conducting the pending study? What has been studied to this point and what remains to be studied? What experts have been enlisted to study current DAF sites, including the one on River Road, and determine the environmental, public health and safety, and property devaluation impacts? Based on what was said, last night, there is no current legislation being developed. Why not? Subparagraph a) states "To promote public health by ensuring that the storage of DAF residuals would not be harmful for the environment and community" After listening to all the concerned Caroline County residents and neighbors, I don't believe anyone is in position to ENSURE that the storage of DAF residuals would not be harmful to the environment and community. If you agree that you are NOT in position to ensure that the storage of DAF residuals would NOT be harmful for the environment and community, PLEASE extend the moratorium, as a minimum.

Subparagraph b) states "To develop suggestions to minimize any adverse effect or impacts to public health, property, infrastructure and traffic safety" If you can adopt a permanent moratorium, there would be NO adverse impacts to public health, property, infrastructure, and traffic safety relating to DAF storage. I don't consider MINIMIZING the adverse effects an acceptable solution. I strongly believe the citizens of Caroline County deserve to have these adverse effects PREVENTED and NOT MINIMIZED. Subparagraph c) states "to consider restrictions on the storage of food processing residual and/or DAF residuals in the county" What restrictions have been considered so far? Why is "food processing" residual included in this resolution? Subparagraph d) states "to obtain such expert advice and assistance as necessary" What expert advice and assistance has been obtained so far? Recommend a team of experts in this field, including lawyers, environmental impact specialists, farmers who have used DAF residuals, Biologists, etc. Subparagraph e) states "to consider such other matters as the Planning Commission or County Staff deem appropriate" Is there a list of "other matters" being developed?

On the first page of the resolution, the County Commissioners role is summarized and includes the fact that you are authorized under the Local Government Article and Land Use Article of the

Annotated Code of Maryland to enact and administer zoning and land use ordinances and a Comprehensive Plan. If you have the authority to enact and administer land use ordinances, why can't you enact a specific restrictive land use ordinance preventing DAF storage on any non-existing DAF site? Are you in process of developing this Comprehensive Plan cited in the resolution? I understand that there are only three of you and that this is consuming a lot of your time. However, IF you allow any DAF storage sites (that are not currently operating) into our County, it will be a disaster for the community as a whole in terms of public health and safety, property values and quality of life. NO ONE that isn't directly profiting from these sites, wants them! Preventing DAF storage should be your absolute TOP PRIORITY as our elected commissioners. I also think you should solicit the help of the community in this fight. I think the vast majority of the people at last night's public hearing and other concerned residents and neighbors would take an active role in doing whatever necessary to STOP the DAF storage in Ridgely and any other proposed DAF storage site in our surrounding communities. I know I will, if asked.

Dianna Cantler, Ridgely Resident: My name is Dianna Cantler, I have resided at 23982 Holsinger Lane, Ridgely, MD 21660 for 12 years with my spouse and Autistic granddaughter who suffers with asthma. I also purchased the property next door 23972 Holsinger Lane, Ridgely, MD 21660 so that no one could take away the beauty of the land and turn it into a structure. We have chickens, turkeys, ducks and miniature horses. We love the farmland. We are commercial watermen and hope to open a business in the future in Ridgely depending on the outcome of the DAF issue. Yes, I signed the RIGHT TO FARM, yes, we smell the smells, yes, we hear the noise. It's not a public nuisance. RIGHT TO FARM CAN NOT BE A PUBLIC NUISANCE! Currently the smell on a hot day with freshly laid fertilizer lasts about 3-5 days and does not have a toxic gassy smell. And this is not storage for 365 days. There are also not a million flies in my home (but the past 3 years the amount has tripled, and the smell is that of a gas.) We even called Tri Gas last summer because we thought we had a propane leak. Well now we know why we have more flies and why we have them longer in the season and what that gas smell is.

DAF- What is it? I don't know, you don't know, nobody knows. Why is it because a permit is not required, it is not tested, it is coming in from other states. Hell, I can't even bring a oyster in this state without a inspection of it and a permit. How does this happen and why are we allowing it. This is going in the air, our kids are breathing it, is it TOXIC, you can't say because you don't know, why don't you know because it is not being regulated, it is not being tested and CAROLINE COUNTY has the RIGHT to NOT ALLOW it into this county without testing and making sure it is safe for it's RESIDENTS. It's your job to protect the citizens of this county.

I clearly heard MR. Porter say he wanted to discuss with MDE and MDA and pass it onto them. I have dealt with those departments in the seafood industry and if you don't mind waiting and waiting and waiting than allow them to make decisions for the residents. These departments are slow on communicating, slow on studies, slow on responses, slow on issuing permits and follow-ups. So how can we rely on them to enforce these DAFs if Caroline County allows it. They are not going to follow-up with these DAFs and perform proper inspections, test each tank, test each truck, check for paperwork and where the trucks came from in a timely manner to protect the residents of Caroline County. They don't have to inhale it. They don't have to see it. They don't

have to deal with flies. What about the disease the mosquitos will carry from dipping into these DAFs and pass onto our children outside playing which they have the right to enjoyment of life. Or the animals that they bite. West Nile? Chicken Nile? We're not talking about 1 farmer putting a little tank on his land to perform his duties. We're talking about a Commercial Industrial processing plant that should be on land that is Zoned Commercial away from residents, kids and animals. When you store and process something to sell it is a BUSINESS. The Chesapeake Bay Foundation has been studying the issues with DAF and it's process for over 10 years. I have included some of their studies. DON'T PASS THE BUCK ON TO MDE/MDA. Wicomico BANNED DAFs Legislative bill 2022-10 on 10/4/2022. WHY can't Caroline Commissioners do the same. Senators/delegates need to get with CBF, MDE, MDA, Chesapeake Legal Alliance and put a bill in to STOP MD from being a dumping ground for SLUDGE because other states have BANNED it and protect our citizens, children, wetlands, tributaries, Chesapeake Bay, wildlife on and off land. These DAFs and their solution are a danger to all and should another spill/leak occur it could wipe out other people's livelihood. If the outcome/decision does not protect the citizens of Caroline County we may start a social media Petition(Petition to Ban DAFS and Stop using Caroline County for a Sludge Dump) and seek a attorney. We are in fear for our health and our children's health as no-one knows what inhaling this toxic sludge or getting bit by a sludge mosquito or fly feces may bring in the future. (lung cancer, COPD, Asthma, Respiratory issues, GI issues).

Heather Downes, Ridgely Resident: I attended the town meeting this Tuesday but did not speak publicly. I live not far from the DAF facility. I obviously oppose this whole situation and find it disgusting that we even have to fight against something that clearly has no benefits except for the person making money off of this. The waterway (stream) behind my house was affected when the retaining ponds were emptied last fall. The water was BLACK, and we contacted River Keepers, that's how they found out what was going on Peaviner Rd. I also want to point out that a few years ago, the storage of (I'm guessing similar waste) which is stored by David Tribbett right across the field from me was also leaking in the stream. There were blobs of waste, a strange smell, fungus, and other disgusting materials. From what I heard the Tribbetts were fined and required to move the waste away from the stream. Is anyone checking up on this??!! As suggested by Matt from River Keepers, we had to have our well tested after that to make sure it was safe. There IS a smell, even from Tribbetts farm...and I know people complained about it but nothing was done. It is frustrating and sad that my home and quality of life can be changed because someone wants to make money. I don't agree with what the Tribbetts are doing or this other person on Peaviner Rd. In fact, I am so mad about this I often wake up and can't sleep. My father has farmed here his whole life and his father before and his before...we are centuries Caroline County people. This is our home! For some perspective, my Dad had to purchase a \$10,000 screen to put over his irrigation pipe to protect fish and eggs from being killed...but yet we allow our waterways to be compromised with deadly bacteria and who knows what else by people trying to make a few dollars. It just doesn't make sense to me. I am willing to answer any questions about what I have already seen and what I know about this. Thank you.

David Spencer, Mayor, Town of Greensboro: The Town of Greensboro is writing in support of extending the moratorium on certain use of land or structures for storage of food processing

residual and/or DAF residuals (hereinafter collectively referred to as “industrial sludge”) in Caroline County pending consideration of the public health, safety, and welfare concerns for the storage of this material. At this time, little is known about what is in the industrial sludge, or its impacts on public health and environmental conditions. There have been reports from neighbors of farms storing and applying industrial sludge that describe unbearable smells, health concerns, and fear for the safety of their water supply. Neighbors describe the smell as “nauseating, vomit-inducing, and like rotting meat and death.” Valerie Keefer, Stop the Influx of Industrial Sludge, Dec. 27, 2023, <https://www.cbf.org/blogs/save-the-bav/2023/12/stop-the-influx-of-industrial-sludge.html>. The industrial sludge is stored, in some instances long-term, and applied to farmland with little oversight. This lack of oversight and regulation of industrial sludge at the state level makes it imperative that steps are taken at the County level to protect public and environmental health from the unknown consequences of storing and applying this material on our farms. There are no state regulations on the long-term storage and use of these materials once they are transported from the industrial sludge-producing facility. Wicomico County recognized this when they placed a ban on DAF storage facilities, a measure we strongly encourage in Caroline County. Neighboring states have more stringent laws for transporting and spreading industrial sludge, and Maryland has become a dumping ground for millions of gallons of this potentially dangerous and underregulated material. Too little is known about the effects of this material, and the public health and environmental risks are too high to continue this practice in Caroline County without further study and regulation.

We urge the County Commissioners to extend the moratorium as imposed by Resolution #2023-025 pending consideration of the public health and safety concerns for the application and storage of this material.

Dr. Derek Simmons, Superintendent of Caroline County Public Schools: Dear Caroline County Commissioners, I am writing on behalf of Caroline County Public Schools in regard to the proposed storage of DAF materials in Ridgely, and possibly elsewhere in the County. I appreciate the information provided during the Commissioners meeting on January 16th which helped clarify my understanding of this project. As you wrestle with the proper zoning regulations associated with the storage of DAF materials, I strongly encourage the commissioners, planning staff, and the Caroline County Planning Commission to conder the proximity of the storage of any DAF materials to any of our school buildings. I am not and will not pretend to be an expert on the potential issues associated with the storage of these materials. However, in the shore time since I have learned about this topic, I am concerned about the odor coming from the storage facilities and their proximity to our schools. I have not read an official study related to the appropriate distance; however, I have watched the video produced by Wicomico Environmental Trust regarding the DAF storage tank in Hebron. I have spoke with residents in the Hebron area and the recurring theme is the stench these facilities create. The is not the kind of permeating odor that should be allowed anywhere near our playgrounds and school buildings.

I have faith that the commissioners, planning staff, and planning commission will practice their due diligence in ensuring that any DAF storage tanks that may be permitted within the community are limited to areas well away from our schools. If you have any questions regrading my comments in this letter, please out to my office.

End of public testimony regarding Resolution #2023-025, DAF Moratorium

Once the hearing ended, the Commissioners wrapped up with their final comments:

Commissioner Porter thanked the citizens for the biggest turnout he's witnessed in his 14 years as an elected official. He stated that although social media has a lot of information on it, the County does not conduct business on Facebook, and if a citizen has a question, they need to reach out to the Commissioners or County Staff. This will help with the misinformation on social media.

Commissioner Porter then went on to explain that this proposed legislation is not an attack on farmers, and he stressed the need to keep Caroline County an agricultural friendly county. On addressing comments from citizens that ask why the County can't just ban DAF altogether, Commissioner Porter explained pre-emption. DAF is an approved soil amendment, he stated that the people at the State level have confirmed if DAF is applied according to an approved nutrient management plan, then the County has no authority on prohibiting the application. He stressed that this hearing pertained specifically to storage, which is the only aspect of control the County currently has. He also stressed the difference between the smell of farming and the nuisance of DAF. Commissioner Porter stated that he feels that the material generated at the chicken processing plants should be controlled by and taken care of at the processing plant, not dumped in Caroline County.

Commissioner Bartz echoed Commissioners Porter's thanks for the community coming out to share their concerns. He stated that he values everyone's opinion. Having over 20 years in the poultry industry, he stressed that DAF has been in the community for years, however it came to light due to an individual who's disregarding the rules. He stated that this person is being enabled by the poultry plants that are continuing to give him material to truck to this location that have been suspended. He stressed the hours of research the Commissioners and staff have done regarding this issue. Commissioner Bartz also stated that this is a commercial fertilizer, which is typically bought by the farmer, however with DAF the farmer is being paid to store or use it.

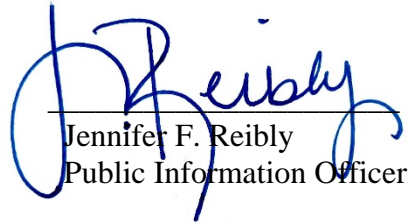
Commissioner Breeding thanked the public for keeping the hearing civil and respecting one another. He stressed that the main reason everyone is in the room tonight, is due to the lack of respect from the citizens receiving DAF. He went on to state the hours of staff time this issue has consumed. He thanked all of the staff that have stepped up to work on researching this issue. He went on to state that in his opinion this is an issue the State should step up and mandate due to them having qualified chemists and the experts to formally regulate. He stressed that the County struggles to issue permits, tar and chip roads, and trim trees, which is what we should be concentrating on. He stressed that these are the issues that pull us away from delivering to the citizens. He explained that its not easy to just ban it altogether. Citizens are being paid to take DAF and they are being incentivized to take more and more, which is why they are disregarding the rules to apply it.

Commissioner Breeding closed by reinstating that any property that the County is aware of that is in violation of the moratorium has been issued a cease-and-desist order. He added if the County

finds that they have not stopped the activities, they will then follow up with enforcement actions through the court system.

The public hearing will be held open until Friday, January 26, 2024. Testimony can be submitted via email at info@carolinemd.org or mail to 109 Market Street, Room 123, Denton, MD 21629.

Meeting Adjourned 8:10 P.M



Jennifer F. Reibly
Public Information Officer