



**ELECTRONIC AND CERTIFIED MAIL**

May 25, 2023

Ms. Sylvia Kang, Chief Real Estate Officer  
Quantum Maryland LLC  
500 4<sup>th</sup> E Street, Suite 333  
Austin, Texas 78701

Re: Environmental Management Plan for Phase I Utility Installation  
Former Alcoa Eastalco Property  
5601 Manor Woods Road  
Frederick, Maryland 21703

Dear Ms. Kang:

Maryland Department of the Environment's (MDE) Land Restoration Program (LRP) is contacting you as the representative of Quantum Maryland LLC ("QL"), the current owners of the former Alcoa Eastalco Property ("Property") located at 5601 Manor Woods Road. By this letter we are informing you that LRP is withdrawing our approval of the conditional March 10, 2023, Environmental Management Plan (EMP) for the Phase I Utility Installation Work until further notice. The reason for this withdrawal is based on the following:

1. Pursuant to the approval letter dated March 16, 2023, the LRP approval was caveat to specific requirements including timely submission of all work plans outlined in the EMP Addenda Table in Section 8.0 of the Environmental Management Plan. MDE approval of all work plans prior to implementation was a requisite condition which has not been fulfilled.
2. Information available to date indicates that site activities including rock blasting for installation of a sewage pump station, utility installation including sewer lines, sediment basins, and electrical substation have advanced without submission and approval of work plans and/or construction details.
3. Section 2.3.4 of the EMP indicates that "No work of the electrical substation will occur until the Addendum is approved". A recent communication from GTA indicates that the grading has commenced without approval of a construction plan.
4. As outlined in Section 6.1 of the EMP, site security issues were not addressed prior to initiation of the site work.
5. Additionally, a portion of the site is subject to land use controls under an existing Environmental Covenant (EC) recorded in the land records of the Frederick County as Bk 12205 Pg 001-243). The requirements set forth in this EC supersede all subsequent documents including the EMP. Specifically the EC has the following requirement for management of groundwater from the EC Area.

*When conducting any excavation activities on the Property extending to the groundwater table, the Property owner shall implement the requirements of a site-specific health and safety plan in accordance with the site management plan to ensure worker protection measures are met. The encountered groundwater shall be containerized during all dewatering activities at the Property and shall be analyzed before disposal. The analytical result shall be the basis for appropriate disposition of the groundwater in accordance with applicable local, State, and federal regulations.*

6. Per notification from MDE's Water and Science Administration(WSA), a significant amount of groundwater was being generated during installation of the pump station and the Sewer Line 1B, which lies within the EC Area. The impacted water generated from the EC area has been discharged to Tuscarora Creek, without proper characterization. This is in violation of the requirements set forth in an existing Environmental Covenant (Frederick County Bk 12205 Pg 001-243) as well as Section 6.5 of the approved EMP. Although this dewatering has been ongoing since 4/21/23 at least, LRP has not been notified of this discharge. Following an unauthorized dewatering violation notice from MDE's Water and Science Administration (WSA), a Stormwater and Groundwater Management Addendum was submitted to the LRP on May 22, 2023.
7. An EMP Implementation Report (IR) submitted dated May 15, 2023, failed to recognize any of these above issues. In addition, the IR was found to be incorrect, unclear, and lacking in all relevant site activity details.
8. Despite several requests, LRP is yet to receive an updated and complete site activity plan, schedule of activities, legal description of property as well as records of approved site permits including a sediment and erosion control plan (SEC), appropriate permitting for construction within the wetland, and all appropriate permitting regarding GW/SW discharge. Delayed and incomplete submissions, as well as gap in communication has been a roadblock in LRP's ability to efficiently oversee site activities including the EMP implementation.

If you have any questions regarding this matter, please do not hesitate to contact me at 410-537-3493.

Sincerely,  
**Anuradha Mohanty**  
Anuradha Mohanty, Project Manager  
Land Restoration Program

cc: Mr. A.D. Robison, Quantum Loophole  
Mr. Paul Hayden, Vice President, Geo-Technology Associates, Inc.  
Mr. Kevin Plocek, Associate, Geo-Technology Associates, Inc  
Ms. Colleen McMullen, Staff Scientist, Geo-Technology Associates, Inc  
Ms. Kate Ansalvish, Environmental Compliance Supervisor, WSA Compliance Program  
Ms. Barbara Krupiarz, Program Manager, Land Restoration Program  
Ms. Barbara Brown, Section Head, Voluntary Cleanup Program