

6/1/22, 12:33 PM

Gmail - Re: Work on Tower Field



Donald Burdick [redacted]

Re: Work on Tower Field

1 message

Donald Burdick [redacted]

Fri, Mar 4, 2022 at 11:39 AM

To: jessica.watson@sussexconservation.org

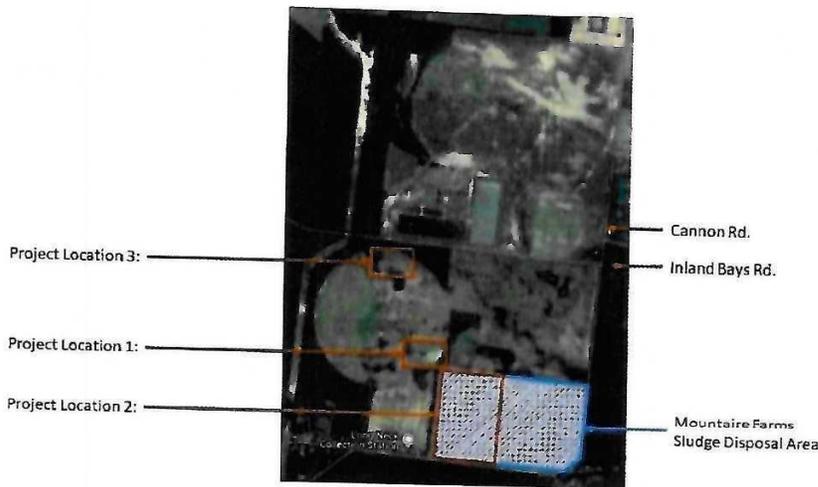
Cc: david.baird@sussexconservation.org, [redacted]

Bcc: [redacted], attorney.general@delaware.gov

Jessica,

David Baird and I spoke on Monday afternoon when I stopped by your office. I expressed my concerns with him regarding a number of illegal activities I believe are taking place throughout Sussex County. He said he would work with you on those, but would address the work currently being completed at Inland Bays Regional Wastewater Facility first. That is understandable given the size of your staff. Perhaps you can work with the government to get additional temporary staff to assist your office.

The projects at Inland Bays Regional Wastewater Facility are clearly more than filling in depressions in the agricultural fields. In addition, they are not taking place near the intersection of Cannon Rd. and Inland Bays Rd.



Location 1: This was the first location where work was performed. An area approximately 1,000 feet by 500 feet was excavated approximately 18" down. This project started on or around November 16, 2021, and is complete.

Location 2: This was the second location where work was performed. It also involved extensive excavation on approximately half of the area. The work is nearly complete. I followed one of the empty dump trucks from this location and it was led to parcel 135-20.00-137.00. This parcel was referenced in a FOIA appeal report I sent to the federal government as one where there are illegal borrow pits. I called the owner of that property who told me he built his own home there. The most recent satellite imagery provided by regrid.com shows no home, but does show borrow pits filled with liquid for which that parcel does not have a permit. This project started on or around December 20, 2021, and is nearing completion.

Location 3: This work just started on or around March 3, 2022. It is too far away to see exactly how big the project is. There is a large mound of dirt with countless dump trucks entering the facility from Canon Rd. and exiting the facility via the far west end of Inland Bays Rd. onto Townson Rd. I followed two of those trucks with a video recording. They led me to a construction site located on parcel 234-11.00-49.05 where they were refilled and returned to Inland Bays Regional Wastewater Facility.

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I have photographs of all work being completed if you would like copies.

In that this is clearly a major public works project and not the simple filling in of depressions in the agricultural fields, I would like to open a FOIA request for all plans, permits, and inspection reports. If no permit exists, I would like for you to tell me that via email copying [REDACTED] with the EPA Region 3 Office, and Attorney General Kathy Jennings, both of whom I have copied on this email. If no permit is required I would like the reasoning behind that.

The Sussex Conservation District website states:

The Sussex Conservation District is the local delegated authority for the Delaware Sediment and Stormwater Regulations. A sediment and stormwater plan is required when disturbing 5,000 square feet or more. The District is responsible for reviewing plans for compliance with the Delaware Sediment and Stormwater Law and Regulations, performing construction and maintenance inspections, and providing technical assistance.

In addition, Mr. Baird told me in our meeting that Sussex Conservation District warned the Delaware Government and the EPA that their method of waste disposal was going to cause major problems, which it has.

Regarding that, I would like to issue a FOIA request for all emails and documents of any sort, meetings that were held, contact information for who was told, what they were told, when they were told, and what response was given. A summary will do.

There are other sites of illegal activity taking place throughout the county as well. Mr. Baird may have told you that I recently discovered Mountaire Farms appears to be once again polluting. I am working on that issue with the EPA. We can discuss the others at a later date.

If you discuss this matter with Mr. Baird or anyone else in the government, I would like meeting minutes to be taken and provided to me, along with their name, title, and contact information of anyone involved. I request that you tell them to do the same.

If you have a case number to provide me, I would like to know that number. For EPA records, I would like this and all future interactions regarding these issues to be attached to my EPA case 1298294.

This is an extremely serious issue and I expect that it will be treated as such. The lives and health of Delawareans is at stake.

Thank you,

Don Burdick

6/1/22, 12:37 PM

Gmail - Re: Work on Tower Field



Donald Burdick [redacted]

Re: Work on Tower Field

David Baird <david.baird@sussexconservation.org>

Fri, Mar 11, 2022 at 7:57 AM

To: Donald Burdick [redacted]
Cc: Jessica Watson <jessica.watson@sussexconservation.org>, [redacted], attorney.general@delaware.gov

Mr. Burdick:

Thank you for your email of March 4, 2022 regarding your concerns with activity at Sussex County's Inland Bays Wastewater Treatment Plant. Please allow this to serve as SCD's response based on available information and our findings.

In response to your concerns related to sites 1, 2 and 3 at the Inland Bays WWTP, SCD has found that Sussex County is filling in and leveling depressions and low spots in the fields used for spray irrigation. These areas are considered an agricultural use based on how they are currently utilized as part of the County's wastewater operations and the components of a conservation plan are addressed in the associated State permits for the wastewater treatment facility. With this said, the filling activity is exempt from the requirements under the sediment and stormwater regulations and does not require a permit. Any further questions related to the permits for the wastewater treatment facility should be directed to Sussex County and/or DNREC.

Additionally, SCD has found no evidence to support your claim that a major public works project is taking place in sites 1, 2 and 3. SCD has not received, reviewed or issued approval on any applications for construction activity within sites 1, 2, or 3.

In your email you also referenced two additional properties. I am providing you with the current status from SCD. I would also suggest you reach out to Sussex County for additional information as they have jurisdiction over land use activity.

Parcel 135-20.00-137.00: Whitetail Borrow Pit....An approval was granted by SCD for a borrow pit on May 28, 2021
Parcel 234-11.00-49.05: Beachtree Preserve....An approval was granted by SCD for a residential subdivision on October 5, 2020.

Finally, your email referenced our conversation regarding concerns that were raised over the method of waste disposal. Your statement is not completely accurate from the standpoint that it was not the Sussex Conservation District that issued that warning. At that time, I was working as the Town Manager of the Town of Georgetown. These discussions took place as the State of Delaware, through DNREC, was establishing the Total Maximum Daily Loads (TMDL's) for the Inland Bays Watershed which started in mid-1998 and continued on for a period of months, if not a year or two. I am not aware of any records that the Town or I maintained related to these discussions. The Sussex Conservation District would not have any records associated with this issue. If records do exist, they would most likely be maintained by DNREC and I am not aware of any case number.

Again, thank you for your inquiry.



David Baird
District Coordinator
david.baird@sussexconservation.org
23818 Shortly Road, Georgetown, DE 19947
302-856-2105 ext. 103 (office)
302-542-3225 (cell)
sussexconservation.org

This pit was installed before the permit was issued. It is where Sussex county got some of the dirt for inland bays. I followed a track to it.

On Fri, Mar 4, 2022 at 9:39 AM Donald Burdick <dtburdick@gmail.com> wrote:
Jessica,

David Baird and I spoke on Monday afternoon when I stopped by your office. I expressed my concerns with him regarding a number of illegal activities I believe are taking place throughout Sussex County. He said he would work with you on those, but would address the work currently being completed at Inland Bays Regional Wastewater Facility first.