



Catoctin News

Newsletter of the Catoctin Group serving
Carroll and Frederick Counties

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Mismanagement at Quantum Loophole Construction Site

SCCG Members are Encouraged to Continue to Demand Environmental Compliance

By James P. Wagner, with contributions from Paul Walker

Recent revelations, particularly those contained in a bombshell article in the *The Frederick News Post* (FNP) on June 2, 2023, have led Sierra Club Catoctin Group (SCCG) to join with other local groups in demanding environmental compliance at the new Quantum Loophole (QL) data campus in Adamstown, Frederick County.

Soil and Groundwater Contamination

The site is a legacy brownfield under the Maryland Department of the Environment's (MDE's) Voluntary Cleanup Program, and contains documented residual soil and groundwater contamination owing to decades of aluminum smelting activity there by the previous occupant, Eastalco Aluminum Company. Contaminants of concern at the site include fluoride, polycyclic aromatic hydrocarbons (PAHs), Polychlorinated Biphenyls (PCBs), cyanide and metals.

Site-specific Restrictions

Because of the contamination, restrictions and requirements regarding certain on-site activities were agreed to in 2017 via an Environmental Covenant (EC) between Eastalco and MDE. The EC requires adherence to a detailed Site Management Plan (SMP) and has other site-specific restrictions for certain activities in certain areas of the property. The EC provisions were made binding

on all future owners of the site, which now includes Quantum Loophole.

History of Environmental Violations

The June 2, 2023 FNP article ([Quantum Loophole](#))

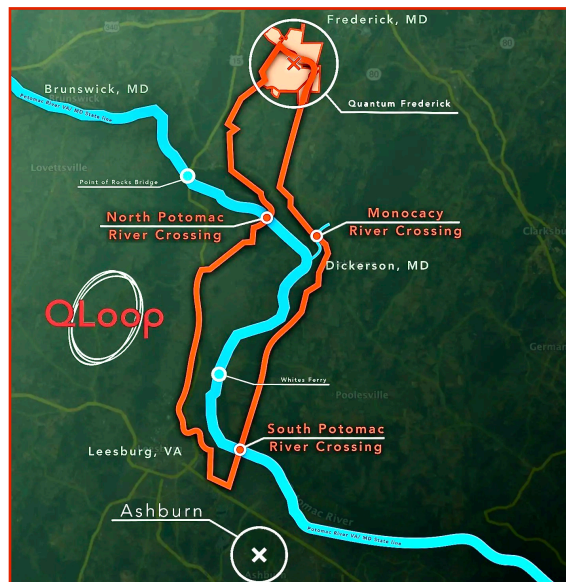
chronicles an egregious history of environmental violations at the site, which followed the starting, earlier this year, of construction on a sewer line and pumping station. According to the article, Jay Apperson, an MDE spokesman, indicated that there is an ongoing investigation as to whether or not Quantum Loophole is abiding by the Environmental Covenant.

The article also mentions, however, that an unnamed MDE official was less equivocal on this point, clearly stating in an email to a County resident that Quantum Loophole "was not adhering" to the environmental covenant. In either case, the number and scope of environmental violations charged by MDE and cited in the article is staggering, and demands our attention.

Violations Keep Adding Up

For example, in what appears to be the most recent inspection of the site by MDE (May 24, 2023), MDE inspector, Kate Ansalvish, indicated under the "Violations" section of her report, the following (in addition to other observations and directives):

QLOOP-MD-ROUTE-MAP



Its first project, in Frederick County Maryland, provides the digital infrastructure industry a 10-20 year road map inclusive of land, power, water and fiber network infrastructure.

— quantumloophole.com

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1) Site dewatering within the EC area had occurred continuously since at least 4/21/23 through 5/24/23. An individual discharge permit was not obtained. Discharge to Tuscarora Creek has occurred. Discharge is estimated at 72,000 gallons per day based on observation occurring on 4/26/23 // Dewatering activity should not occur at this time.....

2) Unauthorized discharge has occurred to surface waters // Advisory signs should be posted at Tuscarora Creek Rd.....

3) Unauthorized impacts to the floodplain have occurred//.....

The situation is dynamic, with new information appearing in the press and from other sources, almost daily. The FNP reported in the June 2nd article that Quantum Loophole had paused construction at the site. The County Executive's Office has indicated to SCCG that they are monitoring the situation. For its part, SCCG hopes to establish a dialog regarding activity at the site with that office.

Although we must remain vigilant, citizen complaints to regulatory agencies such as MDE and Frederick County Health Department, along with other citizen communications (to the press, to the regulatory agencies, and in social media posts) are evidently having an effect. In addition to pausing construction, it



QLoop network is a massive 40± mile hyperscale fiber ring connecting Quantum Loophole's 2,100+ acre Quantum Frederick data center development in Maryland to Northern Virginia's Data Center Ecosystem.

has also been reported that Quantum Loophole has now withdrawn their participation in two previously scheduled County meetings related to the site.

With information provided by the local group, Sugarloaf Alliance, SCCG sent a member alert on June 8th outlining opportunities for member engagement in the issue.

An update is scheduled for the week of June 12.

Please be sure to read these alerts. And please do get involved (with letters to the editor and responses to letters and to other FNP articles, messages to Frederick County officials, participation in the rescheduled County meetings, conversations with others, and by social media postings).

SCCG members are additionally encouraged to

sign the petition from Sugarloaf Alliance requesting that the Frederick County Board of Zoning Appeals deny, at this time, the request by the company for a special exception to install its fiber optic conduit through floodplain and wetland areas in the County.

Let's stay engaged on this. We have a vital role to play in insuring that if this data campus is to be built, it is built in proper compliance with all applicable environmental, zoning and other regulations.

Link: [Petition to Oppose Qloop Drilling](#)

A Report on the Mobilize Frederick Climate Summit

By Bob Ladner

On May 6, 2023, Jane and I attended the first Mobilize Frederick Annual Climate Summit at Hood College. We stayed to the end.

We were welcomed by Karen Cannon (Executive Director of Mobilize Frederick) and Andrea Chapdelaine (President of Hood College). Jessica Fitzwater (Frederick County Executive) and Michael O'Conner (Mayor of Frederick) told us about steps local governments are taking to make our community more resilient.

Michael Powell (Maryland Climate Change Commissioner) told us what is being done at the state level and what needs to be done (i.e. a lot). He said that gas-burning cars sold today will be on the road for 20 years or more. This assumes that gasoline will continue to be cheap.

We then had several panel discussions: Conserve as much as possible, Electrify Everything, Preserve and Restore Nature, and Build for the Future. Under Conserve as much as possible, Gene Olinger (Professor at Hood) told us about circular economies (instead of

exponential growth forever, Earth's resources are finite!); his charts resemble donuts (his favorite food). Kerri Hesley told us how to reduce consumption (Earth's resources are finite!).

There were also talks on Green Banks and Green Schools, two things we need. Toward the end, Davin Faris (our youngest speaker and cofounder of Sunrise Movement Frederick hub) shared his infectious HOPE based on action, and we do need HOPE and ACTION!

Everything presented was useful. As one speaker pointed out, the people not present were exactly the ones that needed to attend. Getting the majority to wake up is our biggest task. The world is addicted to fossil fuel and we need an intervention. We need to confront the fossil fuel industry and actively start weaning the USA from oil, natural gas, and coal. We cannot spend all our energy patching the damage done by our addiction to cheap (subsidized) energy; we need to stop the continuing damage we are doing.



Single Use Bags **BANNED** in Frederick City

By Kerri Hesley

The City of Frederick voted May 4, to ban single use plastic bags at the point of sale. This followed an extensive campaign by the Sierra Club Catoclin Group Zero Waste team.

The SC Catoclin group surveyed all grocery stores across Frederick County in 2019. Volunteers counted the number of customers exiting grocery stores in Frederick County who used plastic bags, paper bags, no bags, or reusable bags. The results were similar to those obtained throughout the state, namely, that if plastic bags are offered at the checkout with no charge, approximately 80% of customers will take them. It is estimated that stores within the city limits of Frederick give out 29 million plastic bags per year!

Kerri Hesley, Zero Waste Lead of Sierra Club Catoclin Group and Patrice Gallagher, co-founder of Zero Waste Alliance of Frederick, petitioned the City of Frederick

Board of Aldermen in July 2022 to pass legislation banning plastic bags and encouraging reusable bag use. Alderwoman Donna Kuzemchak agreed to sponsor legislation and drafted an ordinance based on model legislation provided by the Sierra Club Maryland Chapter. This legislation incorporated the hybrid approach for bag legislation which comprises two principles: 1) that single use plastic bags are banned, with a strict definition of what is a single use plastic bag, and 2) there is a minimum charge of ten cents on any carryout bag to encourage the use of either reusable or no bags at all.

This model legislation is based on past experience throughout the country. First, if a single use plastic bag is not narrowly defined, retailers may work around the definition after legislation is passed. For example, the City of Westminster Maryland banned single use plastic bags and defined them as any plastic bag less than 3 MILs (3 thousandths of an inch). After legislation passed, several retailers simply switched to thicker plastic bags, most 4 MIL thickness. Second, a charge on bags at carryout encourages shoppers to bring reusable bags. Without it, customers simply switch from one type of single use bag to another. In Laurel, Maryland, after a law was passed banning single use plastic bags, 68% of

customers began using paper bags with only 14% bringing reusable bags.

Alderwoman Kuzemchak's ordinance was drafted to avoid these scenarios. Data demonstrating the effect of banning plastic bags without the accompanying charge on other carryout bags was presented. The hazards of paper manufacturing and disposal were discussed. Sierra Club informed the council that five other

It is estimated that stores within the city limits of Frederick give out 29 million plastic bags per year!

jurisdictions in Maryland had passed legislation in the past two years using this hybrid approach.

In the end the City of Frederick Aldermen passed a ban on plastic bags but would not impose the fee. While this was

disappointing, a ban on plastic bags is a big win for our land and waterways and we are grateful to the City of Frederick for their action. There is no thickness or other discriminator that could enable other plastic bags to be handed out. While not perfect, it is a step in the right direction.

Members of the Zero Waste Team of SCCG were instrumental in effecting this change, surveying stores, meeting to discuss strategy, writing letters, and speaking to the Board of Aldermen. Members include Vanessa Gress, Caitlyn Lapham, Jan Rubenstein, Jane Ladner, Marian Callahan, Carol Ahlum, and Patti Fredericks. Many thanks for their hard work and perseverance!



SCCG ExCom Change for Rest of 2023

Paul Walker, Chair SCCG

In our June 3, meeting Kerri Hesley was unanimously elected (6-0, 1 absent) to fill the ExCom vacancy created when Vanessa Gress resigned due to work commitments.

Vanessa has been an active member since at least 2021, and was voted to the ExCom starting in January 2022. She's been our Secretary this year and has been a contributing member of the zero waste team as well. Of note, was her informative testimony in support of the proposed hybrid bag ban at the Frederick Aldermen's meeting on February 8. Thanks for everything, Vanessa.

2023 MD Group ExCom Elections

Paul Walker, Chair SCCG

ExCom Elections start in early November. While that seems a long way off, there's much to be done to prepare. Although groups can run their own elections, SCCG has always deferred to the Chapter Elections Committee to take care of the complicated mechanics of inclusive and fair elections.

The first milestone is for the group ExCom to appoint an Election Committee (NomCom) of at least 3 members, at least one not an ExCom member, no later than June 30. If you're interested in joining the NomCom or have questions, contact Cindy Poole at cpoolemd@gmail.com.

The next big milestone will be training for group NomCom members the first week of July. After that, calls for nominations will be made in early August. A detailed timeline of all election activities will be mailed by early July.

All active members in good standing are eligible and encouraged to run. Four ExCom members' terms expire this year. It would be great to add new leaders with diverse perspectives to the SCCG ExCom.

ALL
are
Welcome!

Sierra Club Catoctin Group Monthly Meetings * First Saturday of the Month Common Market * 927 West 7th Street, Frederick * 11:00 am

Immediately following the business meeting, at 11:30 am, a speaker shares their knowledge about topics of interest to our members or we discuss environmental concerns of those present.

Recent Speakers

April Meeting — At the April meeting Anna Twigg, a Tree Planting Specialist with the Department of Natural Resources, told about coordinating the state's 5 Million Trees Initiative within Frederick and Washington Counties. The Initiative was established as part of the Maryland Tree Solutions Now Act (HB1991) and the goal is to plant 5 million trees across Maryland by 2031. Expanding the tree canopy in urban underserved areas is a major focus of her work. The priority species are Allegheny Serviceberry, Eastern Redbud, Paw Paw, Swamp Red Oak, Wild American Plum, Elderberry, and Flowering Dogwood.

She also talked about the problems of invasive species and suggested some methods of control.



Anna Twigg

May Meeting — Meeting was canceled so we could attend the first Mobilize Frederick Annual Climate Summit at Hood College. See summit summary, page 2.

June Meeting — We discussed the Quantum Loophole situation as presented by guests Steve Black, President of the Sugarloaf Alliance, and Ingrid Rosencrantz, Sugarloaf Alliance Executive Committee member.

We look forward to seeing you on July 1, August 5 and September 2

Officers/Committee Chairs

Chairperson Paul Walker

Vice Chair Open

Treasurer Patty O'Malley

Membership Cindy Poole

Executive Committee Patti Fredericks, Kerri Hesley, Ron Kaltenbaugh, Bob Ladner, Patty O'Malley, James Wagner, Paul Walker

Newsletter Manager/Editor: Jane Ladner, Design Editor: Dee Dolan

Further Information

<http://www.sierraclub.org/maryland/catoctin-group>



Opportunities

Events on Frederick County Energy and Environment Page

Sat. Jul 1 [Understanding Our Watershed: A Family Program](#)

Sat. Jul 15 [Household Hazardous Waste Drop Off Event](#)

Sat. Jul 22 [How to Naturally Deal with Pests, Fungus, and Disease in the Garden](#)

Sat. Jul 2 [Eco-Friendly Gardening: Integrated Pest Management \(IPM\)](#)

Sat. Aug 5 ["Growing Up Wild": Class for Educators and Parents](#)



Frederick County
ENERGY & ENVIRONMENT