




OFFICE OF THE COUNTY EXECUTIVE
ROCKVILLE, MARYLAND 20850

Isiah Leggett
County Executive

MEMORANDUM

June 28, 2017

TO: Roger Berliner, President
Montgomery County Council

FROM: Isiah Leggett, County Executive 

SUBJECT: Gude Landfill Remediation and Reuse

I am forwarding to you, consistent with the Consent Order entered into in May 2013 by the County and the Maryland Department of the Environment regarding the Gude Landfill, the recommendations submitted by the Gude Landfill Concerned Citizens (GLCC) concerning potential reuse of the Landfill that the GLCC believes would be acceptable to the Derwood Station community. The GLCC recommendations are attached.

The Department of Environmental Protection (DEP) is committed to ensuring the GLCC recommendations are considered in the design process for the Gude Landfill Remediation project. Specifically, the GLCC recommendations will be provided to the design contractor, once the contractor is selected, for their incorporation, to the extent feasible, into the final design for the landfill remediation.

If you have questions or need additional information, please contact Bill Broglie, Acting Chief of the Division of Solid Waste Services, DEP, at (240) 777-8883.

IL:wb

Attachment

ATTACHMENT

TO: Lisa Feldt, Director
Department of Environmental Protection
255 Rockville Pike, Suite 120
Rockville, MD 20850

FROM: Gude Landfill Concerned Citizens Committee (GLCC)

CC: Dan Locke, Director, DEP, Division of Solid Waste Services
Don Birnesser, Chief, DEP, Division of Solid Waster Services
Rao Malladi, DEP/DSWS, Senior Engineer
Dan Rogers, DSWS Engineer I
Mark Gutberlet, P.E. – Project Manager, EA Engineering
Derwood Station HOA President Dave Peterson
Derwood Station 2 HOA President Laszlo Harsanyi
Derwood Station South President Charlie Regan
GLCC Members

DATE: December 1, 2016

SUBJECT: Gude Landfill Remediation and Reuse

The GLCC wishes to thank the County for its agreement to fully engage with our community in the planning, design and development of effective remediation and corrective measures at the Gude Landfill that incorporates community desires and considerations for reuse.

We agree strongly with the advice provided in a comprehensive resource regarding community reuse of landfills¹: “The expenditure of some additional resources up front to make a facility more compatible with local residents and businesses could pay off later years in the creation of a facility that provides more benefit to the entire community.”

We look forward to creating a shared vision for the future of Gude Landfill, developing a plan that will allow our community of 500 households to see the landfill as an advantage, rather than a disamenity.

This memorandum sets forth GLCC views on potential reuse of the landfill that we believe would be acceptable to the Derwood Station community. We are, of course, not experts, and the eventual reuse design and development will bear additional study by appropriate experts and incorporate the views of County officials and stakeholders.

The Gude Landfill and Derwood Station – GLCC vision for Reuse

We believe that the reuse of the landfill should recognize and be guided by the overall location of the Gude Landfill within the County. The landfill is surrounded by park land, industrial and commercial operations along Southlawn and Gude Drive, and a single residential community – Derwood Station.

¹ Closed Waste Sites as Community Assets: A Guide for Municipalities, Landfill Owners, and Regulators; Waste Management Branch, Land Remediation and Pollution Control Division, National Risk Management Research Laboratory, Office of Research and Development (Cincinnati, OH) (hereafter, “Community Assets Report.”)

A distinct GLCC concern is that the Gude Landfill is located directly adjacent and very close to our community's back yards; a distance of only 75 yards; well under the 1000 yards considered permissible under current landfill regulations. Not only is our neighborhood closely proximate to the landfill, but over the past years the Derwood Station community has experienced a saturation of commercial enterprises surrounding our neighborhood. The FEDEX facility is a primary example of a shipping enterprise that operates 24/7 and was permitted to develop its facility directly adjacent to our neighborhood. The County's Men Shelter was also placed adjacent to our neighborhood, and has impacted our community.

We understand that it is the intention of the County to develop Gude Drive as an industrial/commercial zone. While this intent is understandable, it has had a disproportionate, adverse effect upon our community.

Given that Gude Landfill is adjacent to current park land, industrial areas, and but one residential community, it seems a proper general conclusion that the reuse of the landfill should reflect a strong connection to the nearby park land and serve to reduce the impact of industrial and commercial growth along the Derwood Station residential perimeter; most importantly, the landfill should not be used for additional active commercial use whatsoever.

Another factor impacting reuse, is that the landfill continues to settle, and will likely continue to do so for 30-50 years, or more. Regular landfill grading and maintenance will likely be required, constant inspection and monitoring of methane exceedances will be necessary, and future significant remediation efforts may arise.

These considerations tend towards the general conclusion that reuse should be focused upon light, passive, non-commercial, non-permanent reuse options.

Because of these considerations, GLCC's overall vision for the Gude Landfill is an area that is quiet, remote, natural, prairie-like, and provides light and low impact uses by the community; while expanding the County's environmental and recreational offerings by offering stronger connections to the Needwood and Rock Creek trail systems. Also, we envision the landfill providing a benefit to the County residents at large, by installing a meaningful array of solar panels to generate electricity; which should prove economical given the current electricity generation facility at the site. Accordingly, and most broadly, we conceive approximately 1/2 of the site devoted to community activities, 1/2 dedicated to solar panel/electricity and open, natural vegetation/habitat.

Finally, we would suggest that long-term engagement with the community and maintenance issues need to be part of the planning. It is important that planning and budgeting for reuse incorporate necessary upkeep and maintenance of any facilities.

Again, thank you for engaging the GLCC and the Derwood Station community. We look forward to working with County and State staff on the multiple issues that will arise. We are especially interested in learning, in the near future, of the County's intentions for reuse.

GLCC PREFERRED REUSE ALTERNATIVES

1. Natural vegetation and habitat

Area: Throughout landfill, all undeveloped space, occupying space between trails and improved areas.

Elements:

- Natural vegetation and habitat conservation environments
- Wildlife and/or bird watching platforms.

As set forth in the Community Assets Report, “The establishment of wildlife habitat areas provides several benefits when compared to the standard closure practice of planting a monoculture of grass on top of the landfill. This practice entails using a variety of vegetation and landscaping features that meet the objectives of the final cover system (minimize infiltration of liquids into the waste and properly controlling storm water), and in addition provide a more natural setting for wildlife and recreational enjoyment. With the selection of vegetation appropriate to the local climate, including native and/or drought-resistant species, this approach offers potential operational cost savings related to vegetation maintenance. Wildlife habitats created to have a natural appearance should have limited mowing needs in comparison to the grass mowing required with closed landfills only covered in grass. The reduced fertilizer needs of wildlife areas additionally may also result in cost savings (Simmons 1999). Some maintenance controls such as weeding, and inspection and removal of invasive plant species may be necessary to maintain natural habitats. To successfully launch habitat creation, a pre-development survey should be conducted. These surveys are intended to identify existing species in the area and to characterize the natural prevailing conditions necessary for the habitat. Once the survey has been performed, restoration of the landfill site will normally follow one of three paths (Simmons 1999). In some cases, the natural regeneration of the habitat takes place with little to no human interference. Alternatively, the basic habitat requirements can be first created, including the establishment of vegetation and related landscape features, and then minimal interference takes place during natural development. Lastly, the habitat features can be established and maintained over time to meet desired outcomes.”

We believe input from local naturalists, MDE and DEP environmental experts would prove beneficial to identify appropriate habitat and vegetation.

2. Community Garden Plots

Area: 5 acres

Elements:

- Fenced/protection from deer/animals
- Water
- Distinct/necessary quality top soil
- Shade

- Benches
- Signage
- Controlled Access
- Enhanced protection from methane extraction/water exfiltration

3. **Dog Park**

A dog park provides many community benefits, such as:

- enabling dogs to legally run off-leash
- socializing and exercising dogs in a safe environment
- promoting responsible pet ownership
- providing a place for owners to meet and make new friends
- providing a place for the elderly and disabled to exercise their dogs
- promoting public health and safety

Area: 2 acres

Elements:

- Two adjacent areas (one for small, one for large dogs)
- Fenced (with required minimum fence height) with double gated entry. Gate design is important. Gate location along the side works best as they don't have a "corner effect". Dogs entering on the side have 180 degrees to travel vs. 90 degrees in a corner entrance. A double gate is a must. If the entrance vestibule of the double gate was out-side the park it would be less prominent and work better.
- Ground cover adequate for dogs, i.e. not grass but other appropriate material such as areas of mulch (needs refreshing, but the County has a large production capacity) and other areas of decomposed granite (this is very durable, but can get hot and dusty in the sun.)
- Signage that specifies hours and rules. There are good examples of posted rules and information at Dog Parks around Montgomery County (Cabin John Park, Black Hills Regional Park, King Farm) Water supply, fountains for people and pets
- Benches – L and U shaped
- Shade provided by shelter, gazebos or tarpaulin structures distributed across the park to provide multiple locations and reduce crowding
- Cleaning supplies to include a pooper scooper bag supply and sturdy refuse containers with good covers (Similar to cleaning and waste supplies at other Montgomery County locations)
- Access controlled – discuss/consider fee access to support waste removal service (Only Montgomery County example is King Farm Dog Park which is limited to Rockville residents.)
- Dog play structures such as ramps, tunnels, jumps, weave poles. Durable construction using stone, masonry, and resin based boards.

4. **Model Airplane Area**

The Capital Area Soaring Association has conducted activities at the Gude site since 1993. The club currently has 137 members from ages 9 through 88 and only operates aircraft with either electric motors or gliders with no motors. A previous flying club used the Gude site from 1975 to 1985. The club collects dues in order to support mowing and insurance costs. Additionally, members are required to have an individual AMA membership which provides additional insurance. Several members are pilots of regular aircraft and the Association ensures compliance with regulations and local airport activity.

Area: 5-10 acres

Elements:

- Vehicle access, parking [currently there is gravel road access and parking area]
- Gate to control access [to ensure safety and restrict access to qualified, insured members]
- Fence to define flying area [separate flying from spectating]
- Shade [currently have a gazebo, recently re-roofed by the flying club]
- Benches
- Shed/storage [we currently have a storage container, mower, club supplies]
- Electric or solar
- Water or porta potty

5. Walking/Hiking/Biking Trail Systems

Area: Throughout landfill, connecting to Needwood and Rock Creek Trail Systems

Elements:

- Gravel
- Benches
- Biking/jogging trail connection to Needwood and Rock Creek Trail System/ benches
- Signage, to/from Needwood and Rock Creek Trail System
- Adequate width to share the trails for walking/hiking and biking trails
- Consider fitness course along trails

We believe close coordination and incorporating the views of the Maryland National Capital Park and Planning Commission and relevant park land stakeholders would be important.

6. Play Areas and Fields

Area: 5 acres

Elements:

- Open areas
- Child play facilities

- Signage
- Shade
- Water
- Not intended for soccer/baseball/court sports (given likely settling)
- Consider Frisbee golf

7. Solar Panel Array

Area: 30 acres, eastern side, away from community

Elements:

- Electricity production: solar array attached to grid/employing methane station production and connection to grid; establish to benefit County residents' electricity expenses.

6. Other Considerations

- Ingress/Egress from Derwood Station, should allow for walking/biking access from Derwood Station (via Dubuque Court); protect neighboring household privacy.
- Explore other ingress/egress, i.e. from Needwood Park and Rock Creek trail systems.
- Public access and parking: explore modest public access from Southlawn using Incinerator Lane (i.e. for use by plane club, and access point to RCT system); small and much needed parking area.
- Address the need for facilities in community areas (restrooms, water, and shade).
- Establish - early on in the remediation effort - effective screening of the Derwood Station adjoining households from the landfill (i.e., screening trees or plants to mitigate unsightly views from adjacent homes of both the remediation construction efforts and the final, elevated and capped landfill 'mountain').
- Enhance and seek environmental benefit to Rock Creek watershed; employing Maryland DEP Stream Restoration guidelines.
- Enhance and seek environmental benefit to Rock Creek watershed by employing Green Streets principles; increased tree cover, vegetation, avoid 'hot' run-off water and beneficial cooling by establishing increased tree canopy within Derwood Station.
- Consider establishing a Rock Creek Conservation and Rehabilitation Fund.
- Full engagement with Maryland National Capital Park and Planning Commission experts and County environmentalists.
- Consider how to address deer population (presently un-controlled) and potential damage to reuse facilities that are installed; consider need for fencing.
- Consider relationship with County Men's Shelter and Electricity Generation Plant.
- Continued active monitoring of leachate and methane migration into the neighborhood and Rock Creek is anticipated.

- Establish communication protocol to advise community regarding landfill remediation initiatives and progress, start/stop dates of construction, etc. Use of postcards; public mail for routine notices.

7. **Recommendations of 'No' Use**

- No lighting – day use only
- No commercial use
- No commercial yard waste processing
- No hard courts (tennis, basketball)
- No ball/playing fields
- No camping or overnight stay
- No fire pits or barbeques

