

Army Dump: Port Says \$ to Fix Cecil County Wells Tied to New Dumping in Earleville; Pipkin Says Cleanup Must Come First

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Earleville residents packed an auditorium at Bohemia Manor High School on Saturday to tell state and federal officials they want pollution of their water supply by an Army dumpsite to be cleaned up and safe, clean water provided to their communities.

But Maryland Port Administration (MPA) officials bluntly told the residents that state money to clean up polluted home water wells caused by a federal dredge spoil dump is a “business” decision and financial aid is tied to winning support for renewed dumping of shipping channel dredge spoils at the site.

It was the first community-wide public meeting on the issue since an independent scientific study by the US Geological Survey released in mid-January concluded that the US Army Corps of Engineers had contaminated several aquifers beneath and near its Pearce Creek dumpsite—known locally as Pearce’s Creek—on Pond Neck Road in Earleville. The study also blamed the dump for contaminants found in local residents’ well water. Two previous meetings were for a select group of leaders from two community civic associations—West View Shores, which has the worst water problems, and adjacent Bay View Estates. Corps and MPA officials also held a separate meeting with the Cecil County Council and Executive.

David Blazer, head of the dredge material management program for the Maryland Port Administration, said the MPA was willing to contribute funds to find a “drinking water solution” for the affected communities. Blazer said there would be “some government funds” for “capital costs” if a community water system were set up for residents but there were no answers on how much homeowners might be expected to pay for upkeep and hooking into such a system.

But, he added, “The Port is interested in this from a business aspect so that we can re-activate Pearce Creek” by 2015 as a dumpsite for dredged spoil from deepening shipping channels in the Chesapeake Bay for the next 20 to 25 years.

Dumping at the Earleville site was halted about 20 years ago, after the Maryland Department of the Environment declined to issue a required discharge permit due to concerns about local well pollution. But now the Corps and the MPA want to renew dumping at the site because they say it is cheaper to dump there than elsewhere and they can no longer dump at another site in the Bay that was closed by state environmental officials in 2010.

Implicit in Blazer’s comments, and similar statements by MPA officials at earlier meetings, is the threat that unless there is renewed dumping at Pearce’s Creek, no state money will be provided for fixing the residents’ water problems. And the MPA is pushing for a fast timetable to get the dumpsite back in operation.

But many local residents view that as a form of blackmail and believe the Corps should be responsible for fixing the problems that exist now, since the US Geological Survey pinned the blame for local aquifer pollution on the Corps’ dumpsite, and resumed dumping is a separate issue for a later date. Corps officials have said they would pay for containing contaminants on their own dumpsite but have claimed they lack authority or money to assist homeowners.

State Sen. E.J. Pipkin (R-36) took a two-step approach to the issue, telling the state and federal officials on Saturday: “Fix the water, plug the hole” and “then we’ll talk about the future.” (The USGS study found that the dumping had changed the natural waterflow in the area and created a gap or hole in an aquifer that allowed pollutants from the dumpsite to flow into aquifers used by residents for their drinking water.)

“It’s a federal facility,” Pipkin said of the dumpsite. “Eventually, the financial solution has to come from the federal government.”

Lt. Col. Chris Becking, who heads the Philadelphia District office of the Corp that operates the dumpsite and the nearby C&D Canal, said, “I can only do what Congress authorizes me to do.” At past meetings, he has said that the Corps lacks authority or money to help local residents and that the MPA was stepping into the breach to help.

However, what Becking did NOT tell the residents is that former Rep. Wayne Gilchrest (R-1) fought for several years to get the Corps to take responsibility for the Pearce’s Creek area problems and succeeded in getting authorizing language in the federal Water Resources Act of 2000.

That law specifies, under Sec. 521:

“Not later than 1 year after the date of enactment of this Act, the Secretary shall carry out an investigation of the contamination of the well system in West View Shores, Cecil County, Maryland. If the Secretary determines that a disposal site for a Federal navigation project has contributed to the contamination of the well system, the Secretary may provide alternative water supplies, including replacement of wells.”

The Corps has always been reluctant to assume responsibility for off-site pollution and fought Gilchrest’s efforts because it could set a precedent nationwide to make the Corps financially accountable to citizens for local pollution problems. It took the Corps ten years after Gilchrest’s provisions were enacted to enlist the USGS to do a detailed study of the contamination and that review was only launched after the Corps decided it wanted to re-open Pearce Creek to dumping.

The Corps has the legal authority to pay for replacement of wells under Gilchrest’s law, but would need an appropriation to allocate the money to pay for it. Rep. Andy Harris (R-1), in whose district the Earleville dump is located, is a new member of the House Appropriations Committee and Sen. Barbara Mikulski (D-MD) is the new chairman of the Senate Appropriations Committee.

Meanwhile, officials from the Maryland Department of the Environment (MDE) appeared for the first time at a public meeting on the Pearce Creek issue. MDE holds the power to decide whether dumping will be allowed to resume at the site because it is in charge of issuing a discharge permit. (A draft agenda for the Saturday meeting given to Cecil County officials in advance did not include any MDE representation for the session.)

Elder Ghigiarelli, MDE’s deputy program administrator for wetlands and waterways, told the audience of about 300 people that “MDE has no pre-determined position on potential re-opening of the Pearce Creek site.” He said the agency would review a permit application by the Corps “in a very careful and deliberate manner.” Such an application has not yet been filed, but when it is, his agency would have one year in which to act and he