

PUB. SEWER STATUS VERIFIED BY _____

12/10/03
9:30

ISSUE DATE: 12/3/03
~~11/26/03~~

P 519685
~~519678~~

APPROVAL DATE: 1/14/04

A REPAIR

PERMIT INDEXED

ON-SITE SEWAGE DISPOSAL SYSTEM HOWARD COUNTY HEALTH DEPARTMENT BUREAU OF ENVIRONMENTAL HEALTH

04-330110

Jack Fyock Septic Service, Inc IS PERMITTED TO INSTALL ALTER

ADDRESS: PO Box 89, Glenelg, MD 21737 PHONE NUMBER: 410-988-9270

SUBDIVISION: _____ LOT NUMBER: _____

ADDRESS: 14356 Dorsey Mill Road PROPERTY OWNER: Bob Hecht

SEPTIC TANK CAPACITY (GALLONS): 1250

Trenches - 2' wide

PUMP CHAMBER CAPACITY (GALLONS): _____

NUMBER OF BEDROOMS: 3 now, size for 4

Inlet at 4'
Bottom at 9'

SQUARE FEET PER BEDROOM: 180

LINEAR FEET OF TRENCH REQUIRED: 100' or 144' (what ever is greater)

TRENCHES:	Trench to be _____ feet wide. Inlet _____ feet below original grade. Bottom maximum depth _____ feet below original grade. Effective area begins at _____ feet below original grade. _____ feet of stone below distribution pipe.
LOCATION:	
PURPOSE:	Septic system is failing. <u>perc test needed to support future upgrade</u> Call for inspection when the ground has been opened so sanitarian can recommend repair.

PLANS APPROVED: _____ DATE: _____

- NOTE: PERMIT VOID AFTER 2 YEARS
- NOTE: CONTRACTOR RESPONSIBLE FOR SCHEDULING A PRE-CONSTRUCTION INSPECTION FOR ALL INSTALLATIONS
- NOTE: WATERTIGHT SEPTIC TANKS REQUIRED
- NOTE: ALL PARTS OF SEPTIC SYSTEM SHALL BE 100 FEET FROM ANY WATER WELL
- NOTE: MANHOLE RISERS REQUIRED ON ALL SEPTIC TANKS AND PUMP CHAMBERS

NEITHER THE HOWARD COUNTY COUNCIL NOR THE HEALTH DEPARTMENT IS RESPONSIBLE FOR THE SUCCESSFUL OPERATION OF ANY SYSTEM PERMITTEE RESPONSIBLE FOR OBTAINING FINAL APPROVAL ON THIS PERMIT CALL 410-313-2640 FOR INSPECTION OF SEPTIC SYSTEM

519685

NOT TO SCALE

Neighbor's Well

Neighbor's Driveway

Future Repair Area

Future Repair Area

Old Drywell - Pumped Out and Filled In

Old Tank, Pumped Out and Filled In

Neighbor's Well

Ex. House

Well - No Tag

Dorsey Mill

ROAD

TRENCH/DRAINFIELD DATA

WIDTH	INLET	BOTTOM
2'	4'	9'
NUMBER OF TRENCHES <u>2</u>		
TOTAL LENGTH <u>100'</u>		
ABSORPTION AREA <u>500</u>		
DISTRIBUTION BOX LEVEL <u>Yes</u>		
DISTRIBUTION BOX BAFFLE <u>Yes</u>		
DISTRIBUTION BOX PORT <u>No</u>		

SEPTIC TANK DATA

SEPTIC TANK 1 LEVEL	
CAPACITY	<u>1250</u> GAL
SEAM LOC	<u>Top</u>
TANK LID DEPTH	<u>18"</u>
BAFFLES	<u>Yes</u>
BAFFLE FILTER	<u>No</u>
MANHOLE LOC	<u>None</u>
6" PORT LOC	<u>Front</u>
WATERTIGHT TEST	<u>No</u>
SEPTIC TANK 2 LEVEL <u>N/A</u>	
CAPACITY	_____ GAL
SEAM LOC	_____
TANK LID DEPTH	_____
BAFFLES	_____
BAFFLE FILTER	_____
MANHOLE LOC	_____
6" PORT LOC	_____
WATERTIGHT TEST	_____

PRE-CONSTRUCTION 12/10/03 New tank to be installed and old tank to be abandoned. Install 2 or 3 trenches and adjust stone INSTALLATION depth for best fit (either 5' or 6' of stone).

Be careful of nearby wells (see plan from Fryock). Tank and trenches to be sized and placed for possible 4th bedroom addition on back of house in future. (BB)

1/14/04 Old drywell and tank pumped out and filled in per Fryock, O.K. to cover everything. May still have enough room for 1 repair between the installed trenches and the neighbor's yard. Be careful of surrounding wells. (BB)

FINAL INSPECTOR B. Baker

DATE OF APPROVAL 1/14/04

1-173
7/20/68
Ready
2/20/69
Morgan

app 2-37-67

PERMIT

SEWAGE DISPOSAL SYSTEM

MARYLAND STATE DEPARTMENT OF HEALTH

HOWARD COUNTY

P 2521
A 0898

INDEXED

ELLICOTT CITY
DISTRICT 4

DATE 3/26/67

Collins Bros.
By & Laws Septic Tank Installation & Cleaning IS PERMITTED TO INSTALL X ALTER

ADDRESS Laymansville, Md. *Glenwood, Md.* PHONE Poplar 2-3022

A SEWAGE DISPOSAL SYSTEM LOCATED AT _____

SUBDIVISION _____ ROAD Dersey Mill Rd. LOT _____

PROPERTY OWNER Robert H. Mill & Wife (New Owner Donald Van Meter)

ADDRESS Dersey Mill Rd., Glenwood, Md.

SPECIFICATIONS 3 Bedrooms

DRAIN FIELD _____ DEPTH _____ FEET, BOTTOM AREA _____ SQ. FT.

SEEPAGE PITS _____ ABSORBENT SIDE-WALL AREA _____ SQ. FT.

SEPTIC TANK CAPACITY 750 GALLONS

FOR GARBAGE GRINDER, INCREASE DISPOSAL AREA 22% & TANK CAPACITY 50%.

OTHER Dry well 10 ft. in dia. & 1 ft. deep below the inlet located 186 ft. from the front property line and 105 ft. off the left side property line as seen when facing the lot from Dersey Mill Road. Maximum depth 13 ft. below original grade.

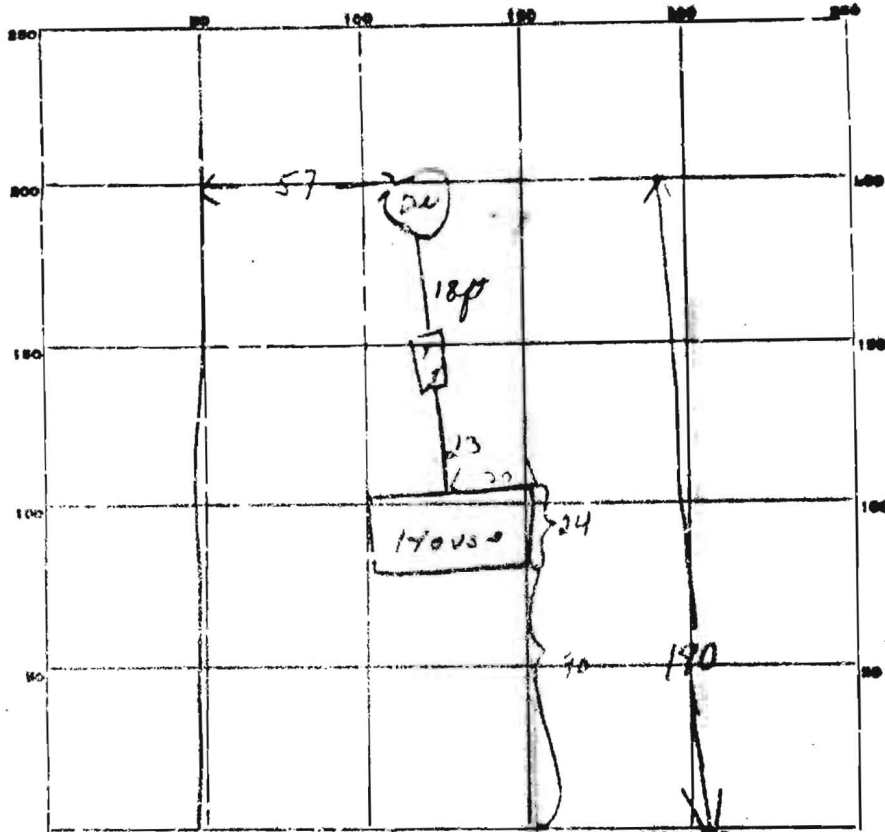
PERMIT VOID AFTER THREE YEARS.

PLANS APPROVED BY J. Kernalgan DATE 9/25/65

FILL SEPTIC TANK AND DISTRIBUTION BOX WITH WATER BEFORE CALLING FOR AN INSPECTION. COVER NO WORK UNTIL INSPECTED AND APPROVED.

NEITHER THE HOWARD COUNTY COMMISSIONERS NOR THE HEALTH DEPARTMENT IS RESPONSIBLE FOR THE SUCCESSFUL OPERATION OF ANY SYSTEM.

NOTIFY THE HEALTH DEPARTMENT 48 HOURS BEFORE EXCAVATIONS ARE TO BE BACK FILLED.



INDICATE NORTH. - NAME ADJOINING ROADWAY AS BASE LINE.

Day Mill Rd

30
376
112
112
376

60
14
12
16
9
10
24
23
7

PERMIT CARD OK

SEPTIC TANK, LEVEL OK

CLEANOUTS 2 side standpipes (manholes)

DISTRIBUTION BOX, LEVEL _____

TILE FIELD, DEPTH _____ FT. TRENCH WIDTH _____ FT.

GRAVEL DEPTH _____ IN. TOTAL LENGTH _____ FT.

NUMBER OF TRENCHES _____ TOTAL BOTTOM AREA _____

SEPARATE PITS, INSIDE DIAMETER 12 FT. DEPTH BELOW INLET 10 FT.

ABSORBENT AREA 376 SQ. FT.

REMARKS 2/22/68 - Day Mill? not in location called for on permit
2 manholes 2 side standpipes on septic tank
3 areas around dry well must be cleaned of dirt. It
appears that there is not proper amount of gravel on top of blocks. Some
at least blocks around block is brought up to inlet pipe.

2/27/68 dirt dug out from around dry well and gravel installed.

DATE SYSTEM APPROVED 2/27/68 INSPECTOR [Signature]

RECORDED

APPLICATION

A 1088

SEWAGE DISPOSAL TESTING

P _____

MARYLAND STATE DEPARTMENT OF HEALTH

HOWARD COUNTY

ELLICOTT CITY

*730 gal. cystic Tank.
 Dry well 10' in dia by 11 ft. deep
 behind the inlet located 18 ft. from the
 front property line and 105 ft. off the left
 side property line as shown when facing the
 lot from Dorsey Mill road.*

DISTRICT 54

DATE 9/15/65

TO: THE COUNTY HEALTH OFFICER
ELLICOTT CITY, MARYLAND

I, HEREBY, APPLY FOR THE NECESSARY TESTS IN ORDER TO CONSTRUCT OR RECONSTRUCT A SEWAGE DISPOSAL SYSTEM.

PROPERTY OWNER Robert H. Hill & Wife (New Owner Donald Van Meter)

ADDRESS Dorsey Hill Rd., Glenwood, Maryland PHONE NU 9-4246

PROPERTY LOCATION:

SUBDIVISION _____ LOT NO. _____

ROAD AND DESCRIPTION Dorsey Hill Rd. - Triadelphia Rd. to Sharp Road - few hundred feet on Sharp Road - turn left on concrete road - Dorsey Hill Rd.

OCCUPANT _____ PHONE _____

PERSON TO CONSTRUCT SYSTEM _____

ADDRESS _____ PHONE _____

SIZE OF LOT 1.12 acres TYPE BLDG. _____ NUMBER OF RESIDENTS _____

IF NOT SINGLE RESIDENCE DESCRIBE _____

SIGNATURE OF APPLICANT Al Peter for Van Meter

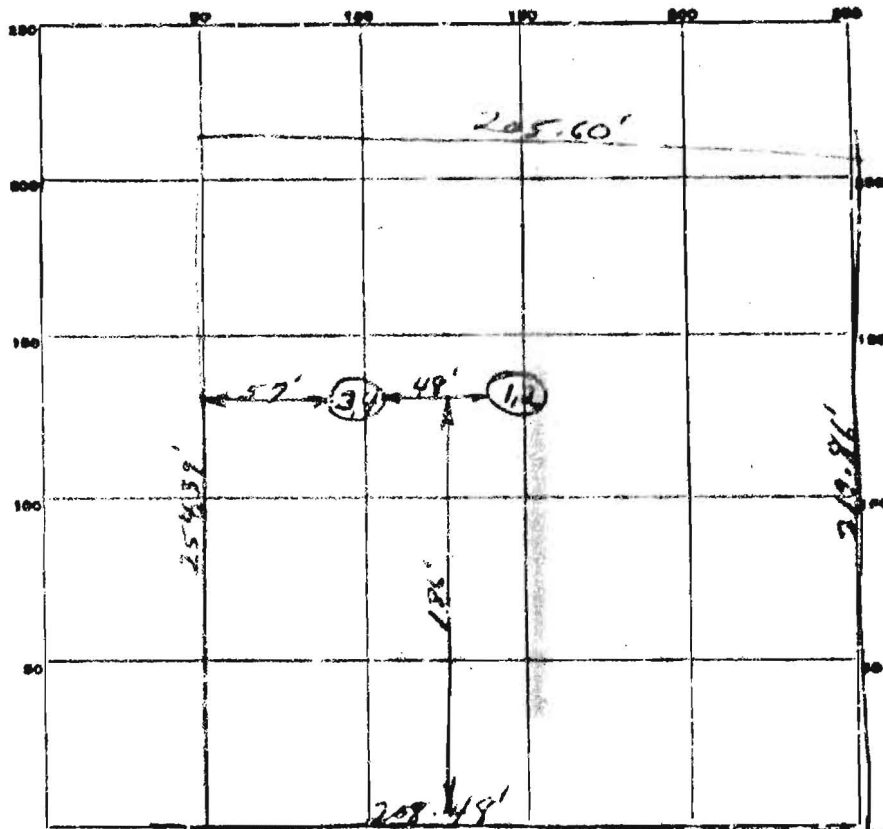
APPROVED BY [Signature] FOR Dorsey Mill DATE 9-15-65

REJECTED BY _____ FOR _____ DATE _____

HOLD PENDING FURTHER TESTS _____ DATE _____

REASONS FOR REJECTION OR HOLDING _____

THIS IS NOT A PERMIT



INDICATE NORTH - NAME ADJOINING ROADWAY AS BASE LINE.

DORSEY HILL Rd.

DATE	TEST NO.	DEPTH	PRE-WET		TEST - 1" DROP		TIME
			START	STOP	START	STOP	
9-15-65	1 / Sand	10'	1:30	1:34	1:34	1:43	9 min
	2 / P2A	5'	1:31	1:32	1:32	1:34	2 min
	3 / Sand	10'	1:42	1:52	1:52	2:05	13 min
	4 / P2B	5'	1:44	1:45	1:45	1:48	3 min

9-15-65 SOIL AUGER FINDING _____
 TESTED BY J.H.
 REMARKS Six feet 1, 2 for clay well.
 Small Van Meter

James H. Selfridge, Trustee
Christina M. Selfridge, Trustee
4781 Ten Oaks Road
Dayton, Maryland 21036

Property Owners

and

James H. Selfridge Builders, Inc.
4781 Ten Oaks Road
Dayton, Maryland 21036

Contractor

In Re:
Final Decision Dated
August 15th, 2006
of
Michael J. Davis, R.S.-Director
Well and Septic Program
Howard County Health
Department
Bureau of Environmental Health

* * * * *

Howard Co. Tax Map 21, Grid 17, Parcel 116
14356 Dorsey Mill Road
Glenwood, Maryland 21738

Adversely Impacted Property

* * * * *

**NOTICE OF INTENT TO APPEAL
and
REQUEST FOR HEARING**

Pursuant to the Maryland Administrative Procedures Act, S.G. § 10-101 *et. seq.* and COMAR 26.04.02.10, Appellants, James H. Selfridge, Trustee and Christina M. Selfridge, Trustee, Property Owners; and James H. Selfridge Builders, Inc., Contractor, by and through Fred L. Coover, Esquire, and **COOVER & BARR, LLC-ATTORNEYS AT LAW**, their attorneys, appeal the August 15th, 2006 final decision of Michael J. Davis, R.S., Director- Well & Septic Program; Howard County Health Department-Bureau of

Suite 420 - Parkside Building
10500 Little Patuxent Parkway
Columbia, Maryland 21044-3563
410-997-6600 410-995-1100
301-621-5090
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Environmental Health (the "Decision") and every factual and legal contention contained therein. A copy of the appealed Decision is attached hereto as **Exhibit "1"**.

The basis for this Appeal includes, but may not be limited to the following:

1. The existing on-site sewage disposal system on the Property (the "Existing System"):
 - a. is capable of handling the sewage flows and any reasonably foreseeable increases in flows associated with a 4 bedroom dwelling; and
 - b. was intentionally located, designed, constructed **and previously approved by the Bureau of Environmental Health** to support a 4 bedroom dwelling on the Property.
2. The removal of the existing 3 bedroom dwelling on the Property and the construction of a new 4 bedroom dwelling in its place does not constitute a material change in use of the Existing System;
3. The potential location of a replacement system on the Property will pose no threat to the health or safety of any person located on or adjacent to the Property;
4. There is no evidence supporting the concern expressed in the Decision that use of the Existing System or a Replacement System in the future may **"result in elevated nitrates in the neighboring down gradient well."**;
5. There is no evidence supporting the following requirements stated in the Decision [hereafter individually and collectively the "Requirements"]:
 - a. **"Design a pretreatment system that treats for nitrogen to eliminate potential impact from existing and replacement septic system on the neighboring well(s)";**
 - b. **"relocate the septic system two hundred feet up gradient from all wells"; or**
 - c. **"relocate the well(s) to meet the separation."**

6. The Bureau of Environmental Health lacks the legal authority to impose the Requirements on the Appellants concerning this specific Property as a condition of approving release of a Building Permit B0058726, issuance of which is legally required in order to construct a new 4 bedroom dwelling on the Property;
7. the Property is not legally subject to the requirements of the current COMAR sections cited in support of the Decision;
8. The Decision is unnecessary for protection of the public health;
9. The Decision is arbitrary and capricious; and
10. The Decision is not in accordance with applicable law and regulations.

Respectfully submitted,



Fred L. Coover, Esquire

COOVER & BARR, LLC-ATTORNEYS AT LAW

10500 Little Patuxent Parkway

Suite 420-Parkside Building

Columbia, Maryland 21044

(410) 995-1100

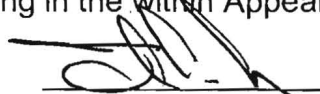
Toll Free (866) 425-9555

fcoover@cooverbarr.com

Attorney for Appellants

REQUEST FOR HEARING

The Appellants request a hearing in the within Appeal.



Fred L. Coover, Esquire

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 14th day of September, 2006, a copy of the foregoing Notice of Intent to Appeal and Request for Hearing was sent via Certified Mail-Return Receipt Requested to:

1. Director, Water Management Administration
Department of the Environment
1800 Washington Blvd.
Baltimore, Maryland 21230
2. Office of the Attorney General
Department of the Environment
1800 Washington Blvd.
Baltimore, Maryland 21230
3. Dr. Penny E. Borenstein, M.D., M.P.H, Health Officer
Howard County Health Department
7178 Columbia Gateway Drive
Columbia, Maryland 21046


Fred L. Coover, Esquire

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