



118 NORTH MAIN STREET  
P. O. BOX 471  
FEDERALSBURG,  
MARYLAND 21632

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410-754-8173

October 3, 2022

Maryland Department of the Environment  
Water and Science Administration  
Attn: Paul Hlavinka  
Industrial Stormwater Permits Division  
1800 Washington Blvd., Ste. 455  
Baltimore, Maryland 21230

Re: Tentative Permit Number 21-DP-33867

Dear Mr. Hlavinka:

The Mayor and Council of Federalsburg are submitting written comments regarding the tentative discharge permit number 21-DP-3867, issued to AquaCon Maryland, LLC ("AquaCon"). For reasons stated herein, the Mayor and Council request that the Maryland Department of the Environment ("MDE") deny the tentative discharge permit, or in the alternative, extend the review period until our concerns, and those of the citizens of Federalsburg, are sufficiently addressed.

The Mayor and Council strongly believe that issuance of a final discharge permit at this time is premature and contrary to the public interest. AquaCon submitted an application for a new discharge permit to discharge an average daily flow of 2.3 MGD of salmon tank purge water and variable volumes of stormwater from a Norwegian Salmon rearing facility into the Marshyhope Creek (the "discharge permit"). While the Mayor and Council commend MDE for their efforts in drafting the discharge permit, they are concerned that the permit may be issued prior to MDE receiving, reviewing, and confirming pertinent information.

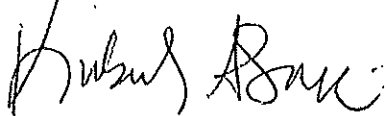
In an attempt to obtain more information about the proposed project and the discharge permit, the Mayor and Council held a public hearing on Monday, September 19, 2022, to discuss the proposed AquaCon project. We urge you to listen to that meeting, which is available at the following link, <https://www.youtube.com/watch?v=40vyFvQN-RY>. While the AquaCon representative present at the hearing answered as many questions as he could, a lot of questions went unanswered as the operations have not yet been developed. Without this necessary information, the Mayor and Council fear that the citizens of Federalsburg are at risk.

To ensure that issuance of the discharge permit is in the best interest of the general public and the environment, the Mayor and Council believe the following acts are imperative before issuance of the permit: issuance of a water appropriation permit; necessary state and local approvals to construct a pipe under the Federalsburg Bypass to discharge the water; submittal and analysis of a Geosmin study plan; submittal of a nutrient offset agreement with the Town of Federalsburg or other treatment facility, and nutrient offset plan and a hydrological study focusing on the short and long term impacts of discharging 2.3 million gallons per day.

Without the necessary information provided by the stated submittals, the Mayor and Council strongly urge MDE not to approve the discharge permit. It is imperative that the permit is issued once it is determined that the discharge permit will have no negative impact on the town, citizens, neighbors, and the Marshyhope Creek. Without the above submittals, that determination cannot be made.

While the Mayor and Council are open to the AquaCon proposed project, they are concerned about the lack of information and studies to support the infrastructure necessary for such a large project. Therefore, we hope that MDE will exercise due diligence prior to issuance of the discharge permit and request the submittal of the above stated necessary information. We appreciate your consideration.

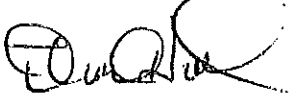
Sincerely,



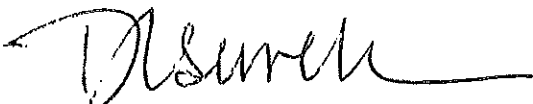
Kimberly J. Abner  
Mayor



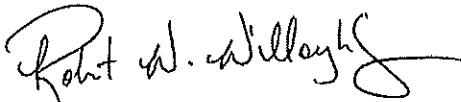
Scott Phillips  
President Pro Tem



Edward Windsor  
Councilmember



Debra Sewell  
Councilmember



Robert W. Willoughby  
Councilmember