

NOTICE OF VIOLATION

August 3rd, 2021

██████████
**2730 Jennings Chapel Road
Woodbine, MD 21797**

CERTIFIED MAIL: XXXX XXXX XXXX XXXX

**RE: Unsanitary Well Upgrade and False Statement Provided on Percolation Certification at
2730 Jennings Chapel Road**

Dear owner:

On January 3rd, 2020; May 5th, 2020; and February 18th, 2021 a series of site investigations were conducted at 2730 Jennings Chapel Road to assess the ongoing status of an upgrade to an existing pit well. At the time of investigation, the existing well to be upgraded was observed in an unsanitary condition. The well had a Fernco flexible coupling of existing well casing to a PVC well casing extension. The well was covered half of a two piece well cap affixed with electrical tape. No pitless installation was observed. The well casing was leaning at an angle, askew to the existing well casing. The driller had been contacted by Health and was reported to be unable to return to the site to correct the installation problems. During this time the owner had failed to have the problem corrected.

This is a violation of The Code of Maryland Regulations (COMAR) Title 26 Subtitle 04 Chapter 04 Regulation 33 Well Owners Responsibilities Sections A, B, D, E, and F pursuant to COMAR 26.04.04.25 Maintenance and Repair Section D(1-5).

26.04.04.33A. Every well shall be maintained in a condition to conserve and protect the ground water resource.

26.04.04.33B. After the well is completed, the well owner is responsible for maintaining the upper terminal of the well as specified in this chapter.

26.04.04.33D. After the well is completed, the well owner shall maintain the access port in a manner that prevents the entrance of water, dust, insects, or other foreign material and permits ready access for water level measurements.

26.04.04.33E. After the well is completed, the well owner is responsible for maintaining the identification tag attached to the well.

26.04.04.33F. Whenever work is done on the well, the work shall be done in accordance with this chapter.

Maura J. Rossman, M.D., Health Officer

26.04.04.25D. Extension of the well casing for an above-grade terminal shall be completed in the following manner:

- (1) Install a pitless unit;
- (2) If plastic casing is existing, then solvent weld additional plastic casing;
- (3) If metal casing is existing, then thread or weld additional metal casing;
- (4) A mechanical compression coupling; or
- (5) Install a pipe coupling that is approved by the Approving Authority.

Be advised that this is a violation and is subject to enforcement pursuant to COMAR26.04.04.38D which states:

26.04.04.38D. A person who violates any provision of this chapter is guilty of a misdemeanor and upon conviction is subject to the provisions under Environment Article, §9-1311, Annotated Code of Maryland.

You are hereby ordered to contract a Licensed Well Driller to correct the existing pit well to an approvable, sanitary state pursuant to COMAR 26.04.04 within 14 (fourteen) days of receiving this notice. The Licensed Well Driller must call completed work in for inspection prior to backfilling the work. Failure to comply will result in referral to the Maryland Department of the Environmental for enforcement.

If you believe that the condition described above is not and could not be a hazard to health, or that the Health Department is not acting in compliance with pertinent laws and regulations, you may request that this notice be reviewed in accordance with the provisions of the Administrative Procedure Act and other applicable statutes and regulations. All appeals shall be filed with the Director, Water Management Administration, within 30 days of receipt of this Notice.

If you have any questions regarding this letter, please contact me at 410-313-1771.

Joseph C. Cabahug – REHS/RS LEHS II
Environmental Health Specialist
Howard County Health Department
8930 Stanford Blvd.




Bureau of Environmental Health
8930 Stanford Blvd | Columbia, MD 21045
410.313.2640 - Voice/Relay
410.313.2648 - Fax
1.866.313.6300 - Toll Free

Maura J. Rossman, M.D., Health Officer

Columbia, MD 21045
410-313-2643 Office

MEMORANDUM

TO: Anthony Cataldo, Chief
Dept. Planning & Zoning (DLD)

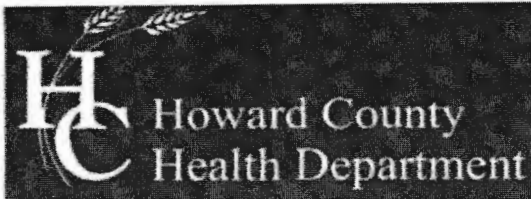
FROM: Kevin M. Wolf, LEHS Supervisor 
Groundwater Mgmt. Sec.
Well & Septic Program

DATE: December 16, 2021

RE: 'All-Wells-Drilled' -- **F-21-042**
Savage Property (a.k.a. 2730 Jennings Chapel Road)

The wells for *Savage Property* subdivision have been drilled and received preliminary approval by the Health Department. The recordation of plat **F-21-042** should not be held up any longer due to issues involving well drilling. The developer of this project has fulfilled this prerequisite. If there are any questions involving this memorandum, I can be reached at (410) 313 – 2645.

KMW
C.c. File



Bureau of Environmental Health
 8930 Stanford Boulevard, Columbia, MD 21045
 Main: 410-313-2640 | Fax: 410-313-2648
 TDD 410-313-2323 | Toll Free 1-866-313-6300
 www.hchealth.org
 Facebook: www.facebook.com/hocohealth
 Twitter: HowardCoHealthDep

Maura J. Rossman, M.D., Health Officer

**APPLICATION FOR VARIANCE
 TO COMAR ONSITE WATER/SEWER FOR MDE APPROVAL**

Date Submitted _____

2730 Jennings Chapel Road;

Property Address

Savage Property (proposed)

Subdivision

1

Lot

13

Tax Map

Grid

109(P.1)

Parcel

04-327268

Tax Account #

Provide a brief site history including previously submitted and active plans with the Health Department or the County (subdivision plans, perc test applications, Building Permit applications):

Percolation Certification Plan (active, proposed subdivision)

In the area below, list the specific section of the Code of Maryland Regulations (COMAR) to which a variance is being requested and provide a brief summary of the regulation and an explanation of why the variance is being requested (Attach a separate sheet if necessary).

Regulation Section

Summary and Explanation

1. COMAR 26.04.02.05.B.(2)

Specifies that on-site sewage disposal system is to be located downgradient from a private water well.

2. _____

Property Owner's Signature

Health Department Use Only

Reviewed by

P. Bricker
HCHD Staff

12/18/17
Date

Recommendation:

Recommended [] Not Recommended

[Signature]
HCHD Supervisor

12/31/19
Date

Comments/Conditions:

Lot 1 well is planned downgradient of septic system trench at 2724 Jennings Chapel Road. Well is planned more than

200 feet from the documented location of the trench. The well must be installed as steel casing to a depth of 50 feet, or 10 feet into competent rock, whichever is deeper.

Approved by:

Steven R Krueg LEHS
MDE Representative

1/8/20
Date

Wolf, Kevin

From: jcarney@bei-civilengineering.com
Sent: Wednesday, July 13, 2022 8:40 AM
To: Wolf, Kevin
Cc: 'Berarducci, Anthony'
Subject: RE: 2730 Jennings Chapel Road
Attachments: POTENTIAL REVISED PERC CERT FOR WELL DRILLING.pdf

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Kevin, thank you for the discussion about this well drilling this morning. I would like to provide the driller some sort of correspondence for their records. As I understand it they are okay to move to Alternate Well Area #1 as shown on the attached plan and drill a new well at that location as soon as possible. You will need a well stake form to be completed and forwarded to you today. We will follow up with a revised percolation certification plan in the near future showing the dry well and the new well box area. Am I missing anything?

If you could "reply all" the owner will forward to the driller. Thanks, John

From: jcarney@bei-civilengineering.com <jcarney@bei-civilengineering.com>
Sent: Tuesday, July 12, 2022 3:10 PM
To: 'Wolf, Kevin' <KWolf@howardcountymd.gov>
Subject: 2730 Jennings Chapel Road

Kevin, you guys recently released the well permit for this site. They have drilled one well to 600' and they are concerned that it isn't going to provide enough water to get 1 GPM. They haven't done the pump test yet. The driller is moving around within the previously approved well box for a second drilling tomorrow. But the owner wants to explore revising the well box now if necessary. The new locations are okay for the various well setbacks. The owner has proposed two alternative well box sites that are shown on the attached plan, they were both closer to the existing driveway with one on each side.

The problem is that if the well driller leaves the site they won't be back for weeks. Fortunately this is a 40 acre site with plenty of space to move to. Would you allow the well driller to relocate to one of these alternate areas and drill prior to getting the percolation certification plan revised?

Could you give me a call to discuss? The attached perc cert plan is a revised plan view only, I haven't checked the notes and brought the title block up to date but I can get done quickly. Thanks, John

John M. Carney, P.E.
Benchmark Engineering, Inc.
3300 North Ridge Road, Suite 140
Ellicott City, MD 21043
410-465-6105 ext. 1152



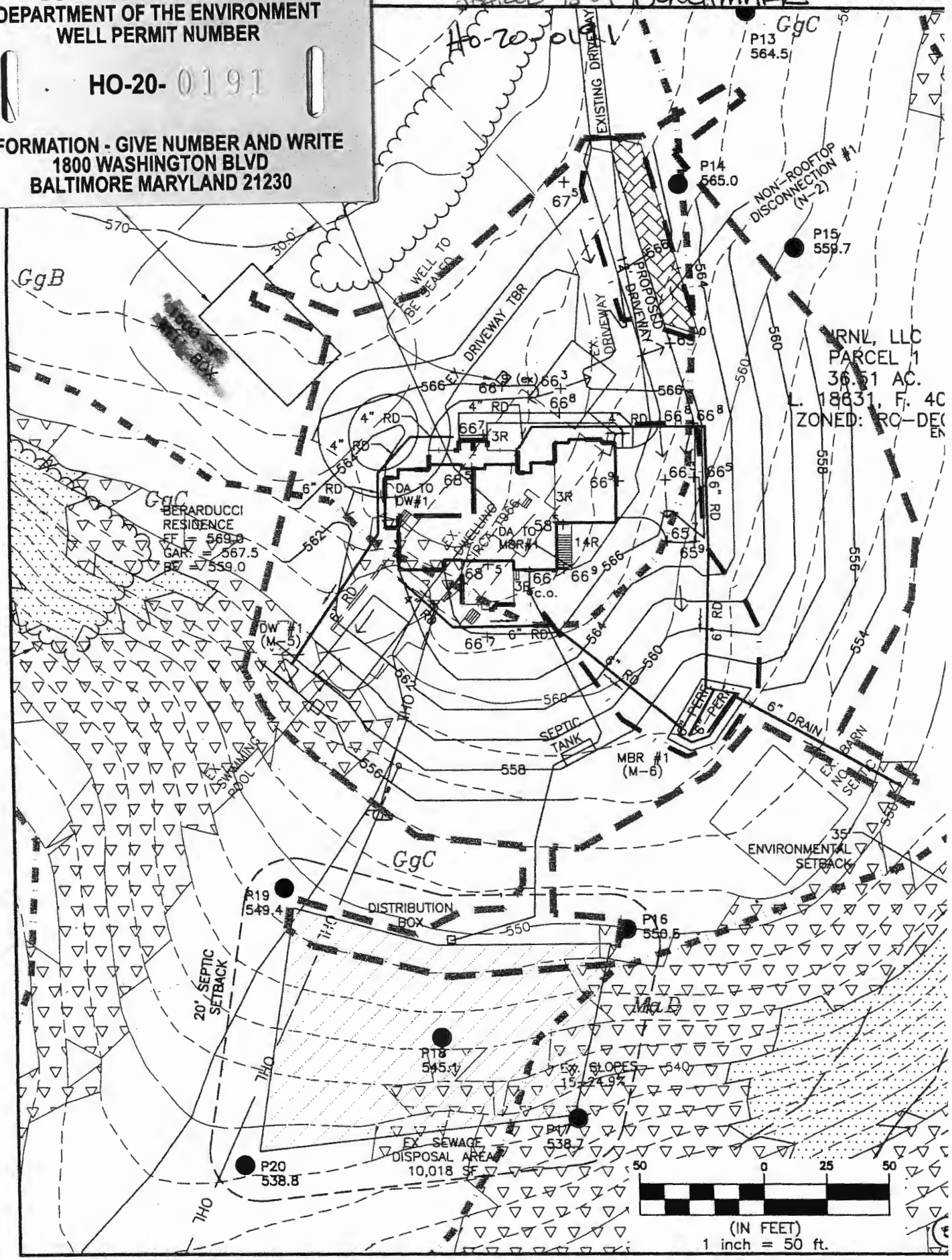
This email has been checked for viruses by AVG antivirus software.
www.avg.com

DO NOT REMOVE THIS TAG
DEPARTMENT OF THE ENVIRONMENT
WELL PERMIT NUMBER

HO-20-0191

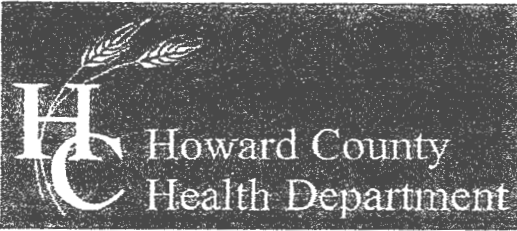
INFORMATION - GIVE NUMBER AND WRITE
1800 WASHINGTON BLVD
BALTIMORE MARYLAND 21230

2730 JENNINGS CHAPEL
APPROVED 06/10/2022
SEALED BY BENCHMARK



ARNL, LLC
PARCEL 1
36.31 AC.
L. 18831, F. 4C
ZONED: RC-DEC
EN

(IN FEET)
1 inch = 50 ft.



Bureau of Environmental Health

8930 Stanford Boulevard, Columbia, MD 21045

Main: 410-313-2640 | Fax: 410-313-2648

TDD 410-313-2323 | Toll Free 1-866-313-6300

www.hchealth.org

Facebook: www.facebook.com/hocohealth

Twitter: HowardCoHealthDep

Dr. Maura J. Rossman, M.D., Health Officer

TO ALL INTERESTED PARTIES

When submitting a well permit application for a proposed well for new construction, please indicate one of the following:

Well Site Location:

Berarducci Residence _____ 2730 Jennings Chapel Rd
Subdivision/Property Name Lot # Road Name

The well site has been staked by Benchmark Engineering
(professional land surveyor or company employing professional land surveyors)
on May 25, 2022 (date) and does not require a site inspection.

The well driller, builder or property owner will call the Health Department to schedule a time to meet in the field to verify the proposed well site location.

This sheet, along with two copies of an acceptable well site plan, must be attached to the green well permit application.

PHEN &
ON O'NEILL
PROPERTY
LOT 3
NO. 20029
D COUNTY
TURAL LAND
RESERVATION
EASEMENT
N O'NEILL
JRC PROPERTY
LOT 3
T NO. 20029
VARD COUNTY
CULTURAL LAND
RESERVATION
RAM EASEMENT
J-90-12-E
VE: RC-DEO

JENCHAP 2, LLC
P/O PARCEL 109
L. 19190, F. 011
1.79 AC.
ZONE: RC-DEO

P/O
BUILDABLE PRESERVATION
PARCEL IS TO BE PRIVATELY OWNED WITH
AN AGRICULTURAL LAND PRESERVATION
PROGRAM EASEMENT HELD BY HOWARD
COUNTY, MARYLAND
PLAT No. 26014

EXISTING 24' WIDE
EASEMENT FOR
ACCESS, INGRESS
AND EGRESS
L. 19190 F. 011

Box 2
dr. 111-9
2nd offset

WELL BOX
1500 SF

WELL BOX
1500 SF

ORN L, LLC
PARCEL 1
38.51 AC.
ZONED: RC-DEO
TOP OF BANK
(BEI 11/2C)

EX SEWAGE
DISPOSAL AREA
10,018 SF

CENTERLINE
INTERMITTENT
STREAM CLASS III
TOP OF BANK
EX. SLOPES
>25%
1,311 SF

EX. SLOPES
15-24.9%

EX. FOREST
CONSERVATION EAS-
RETENTION-
TOTAL AREA 21.8;
NON-CREDITED AREA
CREDITED AREA 20.
PLAT No. 2601

STREAM
PROTECTION
ZONE

STREAM
PROTECTION
ZONE

STREAM
PROTECTION
ZONE

50'
STREAM
BANK
BUFFER

50'
STREAM
BANK
BUFFER

CENTERLINE
INTERMITTENT
STREAM
CLASS III

STREAM
BANK
BUFFER

STREAM
PROTECTION
ZONE

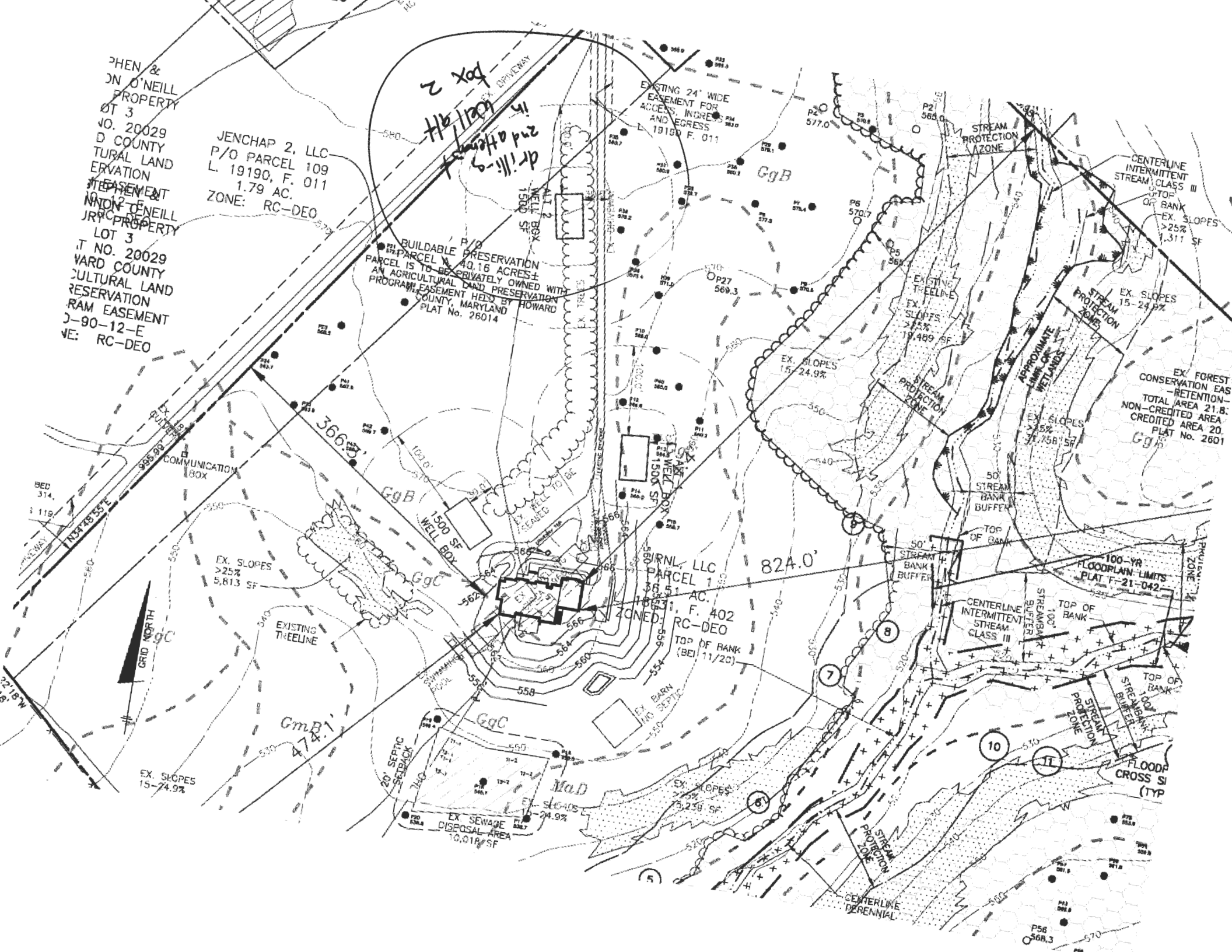
FLOODP
CROSS SI
(TYP

824.0'

EX. SLOPES
>25%
5,813 SF

EX. SLOPES
15-24.9%

EX. SLOPES
15-24.9%





7/13/2
PK

? Maybe abandoned - pics of 1st well drilled closest to house - 6/10 9PM -





Oswald, Hank

From: Oswald, Hank
Sent: Wednesday, March 30, 2022 1:25 PM
To: Anthony Berarducci
Subject: RE: Well question for 2730 Jennings Chapel Rd

Hi Mr. Berarducci:

It took me a little while, but I finally have an answer for you. I was informed the well can remain for new house construction assuming setbacks are met. However, since we don't have a well completion report, we don't know about its construction or yield. With that said, it's highly recommended that you have the well water tested before you demo the house, because we would not allow a deviation from any of the basic water quality standards (bacteria, nitrate, turbidity and sand). In addition, a well yield test should be done to ensure the well meets the minimum standard of 1 gpm.

Please let me know if you have any other questions.

Thanks,

Hank

Hank Oswald, L.E.H.S.
Howard County Health Department
Well & Septic Program
410.313.1786
hoswald@howardcountymd.gov

From: Anthony Berarducci <anthony.berarducci@gmail.com>
Sent: Wednesday, March 30, 2022 11:11 AM
To: Oswald, Hank <hoswald@howardcountymd.gov>
Subject: Well question for 2730 Jennings Chapel Rd

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Hank,

Thanks for taking my call and fielding my questions regarding the existing well at the above mentioned property.

Attached are the documents I have regarding the well and percolation test.

As I mentioned on the phone - I'm simply looking to determine if I can use the existing well (assuming it passes all inspection requirements) to support the construction of a new home, or if a new well will need to be established given the dated nature of this existing well.

Please feel free to shoot me a note or give me a call once you've had a chance to review.

Thanks,

Tony Berarducci
410-984-0851



HOWARD COUNTY HEALTH DEPARTMENT

71580
W5

DATE
6/16/22

Received From

Gayle Leubert

PHONE #

For Well Permit

CASH
 CHECK

1304 Ryan Drive

2730 Jennings Chapel Rd

NO. 013834

6/16/22

one hundred and thirty four dollars

Dollars

\$ 134.00

Received By [Signature]

MEMORANDUM

TO: Allied Well Drilling
Attn: Andy Capelle
PO Box 129
Annapolis Junction, MD 20701

FROM: **Joseph Cabahug**
Licensed Environmental Health Specialist **001997**
Howard County Health Department
Well & Septic Program

RE: 2730 Jennings Chapel_Well Upgrade

DATE: August 2nd, 2021

8/2/2021

A site inspection was made in January of 2020, regarding a well upgrade involving a casing extension and a pitless adapter. During the inspection the well was observed to be upgraded with a Fernco flexible coupling with PVC plastic well casing, and half of a two piece well cap taped to the top with electrical tape; no pitless installation was observed. The well upgrade did not meet COMAR 26.04.04.25 for Maintenance and Repair.

COMAR 26.04.04.25 Maintenance and Repair.

- A. All material used in the maintenance, replacement, or repair of any well shall meet the requirements for new installation.
- B. Broken, punctured, or otherwise defective or unserviceable casing, screens, fixtures, seals, or any part of the wellhead shall be repaired and replaced, or the well shall be properly abandoned and sealed.
- C. Any work performed on a water supply well with a well cap not meeting the standards of this chapter, shall also include the installation of a well cap meeting the standards of this chapter.
- D. Extension of the well casing for an above-grade terminal shall be completed in the following manner:
 - (1) Install a pitless unit;
 - (2) If plastic casing is existing, then solvent weld additional plastic casing;
 - (3) If metal casing is existing, then thread or weld additional metal casing;
 - (4) A mechanical compression coupling; or
 - (5) Install a pipe coupling that is approved by the Approving Authority.

The Fernco flexible coupling extension was not approvable as a mechanical compression coupling and the well remains in an unsanitary state as of the date of this memorandum. Future work that does not meet COMAR may result in action from Board of Well Drilling. This memo is in place of a Notice of Violation due to circumstances in lot development.



2730 JENNINGS CHAPEL

01/03/2020

PIT WELL UPGRADE



2730 JENNINGS CHAPEL

01/03/2020

PIT WELL UPGRADE



2730 JENNINGS CHAPEL

01/03/2020

PIT WELL UPGRADE

Cabahug, Joseph

From: Bricker, Robert
Sent: Wednesday, April 29, 2020 11:27 AM
To: Cabahug, Joseph
Subject: Re: 2730 Jennings Chapel Road_re-inspect well

I could speculate about what happened. More importantly, I have to comment to DPZ and I want to be sure my comment is accurate. When is the next opportunity that you can you put eyes on it?

From: Cabahug, Joseph <jcabahug@howardcountymd.gov>
Sent: Wednesday, April 29, 2020 11:06 AM
To: Bricker, Robert <RBricker@howardcountymd.gov>
Subject: Re: 2730 Jennings Chapel Road_re-inspect well

I talked to Andy, they have not heard anything from the owner since that january inspection and does not know if the owners have contacted another well driller.

It's not the worst situation, but they cant leave it half upgraded. Let me know what they do I should send out an MOU to the property address and apply 26.04.04.33 well owner responsibilities. I'm still not clear about what exactly stopped allied from being able to return, even after talking with Andy Capelle.

From: Cabahug, Joseph <jcabahug@howardcountymd.gov>
Sent: Wednesday, April 29, 2020 10:40 AM
To: Bricker, Robert <RBricker@howardcountymd.gov>
Subject: Re: 2730 Jennings Chapel Road_re-inspect well

Oh yes, I have the pictures. January 3rd 2020 12:43 pm. Fernco fitting and half of a two piece cap taped on with a nest of electrical tape. I'll call Andy.

From: Bricker, Robert <RBricker@howardcountymd.gov>
Sent: Wednesday, April 29, 2020 10:31 AM
To: Cabahug, Joseph <jcabahug@howardcountymd.gov>
Subject: Re: 2730 Jennings Chapel Road_re-inspect well

I think I remember you saying their company name.
RobertB

From: Cabahug, Joseph <jcabahug@howardcountymd.gov>
Sent: Wednesday, April 29, 2020 10:29 AM
To: Bricker, Robert <RBricker@howardcountymd.gov>
Cc: Wolf, Kevin <KWolf@howardcountymd.gov>
Subject: Re: 2730 Jennings Chapel Road_re-inspect well

I vaguely remember. Allied right?

From: Bricker, Robert <RBricker@howardcountymd.gov>
Sent: Wednesday, April 29, 2020 9:59 AM
To: Cabahug, Joseph <jcabahug@howardcountymd.gov>

Cc: Wolf, Kevin <KWolf@howardcountymd.gov>

Subject: 2730 Jennings Chapel Road_re-inspect well

Good morning Joseph. There is a new proposal concerning 2730 Jennings Chapel Road (Savage Property) that requires a re-inspection of the well upgrade. You inspected this well upgrade and failed it because (I think) they used a FURNCO fitting. I need to know if they ever bothered to correct the issue.

On the next day you have inspections, please have a look at this well so that I may enter an appropriate comment in Pdox. Thanks RobertB

Cabahug, Joseph

From: Cabahug, Joseph
Sent: Wednesday, February 17, 2021 4:10 PM
To: Williams, Jeffrey; Wolf, Kevin
Cc: Bricker, Robert
Subject: 2730 Jennings Chapel_Well Issue
Attachments: 61471583-172A-4E10-A3CD-F2F3B39B6239.jpeg

Jeff/Kevin

It's come to my attention that a property out on Jennings Chapel may have tried to pull a fast one and get their PC signed and I want to give them an NOV on the grounds of 26.04.04.38 up to and including a double misdemeanor for violating upper terminal well construction and knowingly providing a false statement, representation, and certification in their record percolation certification.

The well is still fernco attached in an open pit with a taped up one piece cap.

Requesting to send NOV.

Joseph

At the time of investigation, we were able to conclude that the existing pit well serving the house at **2730 Jennings Chapel Road** was installed in an unsanitary manner. This is a direct violation of **The Code of Maryland Regulations (COMAR) Title 26 Subtitle 04 Chapter 04 Regulation 33 Well Owners Responsibilities Sections A, B, D, E, and F pursuant to COMAR 26.04.04.25 Maintenance and Repair Section D(1-5).**

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Maura J. Rossman, M.D., Health Officer

MEMORANDUM

TO: Allied Well Drilling
Attn: Andy Capelle
PO Box 129
Annapolis Junction, MD 20701

FROM: **Joseph Cabahug**
Licensed Environmental Health Specialist 001997
Howard County Health Department
Well & Septic Program

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Cabahug, Joseph

From: Wolf, Kevin
Sent: Tuesday, May 5, 2020 2:37 PM
To: Thomas, Susan; Cabahug, Joseph; Bricker, Robert
Subject: Re: 2730 JENNINGS CHAPEL ROAD

Just so you all know, the upper terminal must be of the same material as the main casing. In this case, from what I can tell from the picture, it does not.

CONFIDENTIALITY NOTICE

This message and the accompanying documents are intended only for the use of the individual or entity to which they are addressed and may contain information that is privileged, confidential, or exempt from disclosure under applicable law. If the reader of this email is not the intended recipient, you are hereby notified that you are strictly prohibited from reading, disseminating, distributing, or copying this communication. If you have received this email in error, please notify the sender immediately and destroy the original transmission.

From: Thomas, Susan <sathomas@howardcountymd.gov>
Sent: Tuesday, May 5, 2020 2:16 PM
To: Cabahug, Joseph <jcabahug@howardcountymd.gov>; Bricker, Robert <RBricker@howardcountymd.gov>
Cc: Wolf, Kevin <KWolf@howardcountymd.gov>
Subject: Re: 2730 JENNINGS CHAPEL ROAD

Hi, I just reinspected the well at Jennings's Chapel- doesn't look like any work has been. Still a furnco and a taped on upper half of a well cap. -Susan

Get Outlook for iOS

From: Cabahug, Joseph <jcabahug@howardcountymd.gov>
Sent: Monday, May 4, 2020 6:32:09 PM
To: Bricker, Robert <RBricker@howardcountymd.gov>
Cc: Wolf, Kevin <KWolf@howardcountymd.gov>; Thomas, Susan <sathomas@howardcountymd.gov>
Subject: RE: 2730 JENNINGS CHAPEL ROAD

I am sorry. I forgot. I will put it on the book. I'm telling Susan about it now on the phone for the debrief for tomorrow.

I'm still in the office from today's inspection D:

From: Bricker, Robert
Sent: Monday, May 4, 2020 6:01 PM
To: Cabahug, Joseph <jcabahug@howardcountymd.gov>
Subject: 2730 JENNINGS CHAPEL ROAD

Joseph, Were you able to re-inspect the well upgrade at 2730 Jennings Chapel Road on Friday? Result?
Robert

Cabahug, Joseph

From: Cabahug, Joseph
Sent: Friday, February 19, 2021 8:54 AM
To: Wolf, Kevin
Subject: RE: 2730 Jennings Chapel_Well Issue
Attachments: IMG_2163.jpg

This well upgrade is a disgrace.

From: Wolf, Kevin
Sent: Thursday, February 18, 2021 2:33 PM
To: Cabahug, Joseph <jcabahug@howardcountymd.gov>
Subject: Re: 2730 Jennings Chapel_Well Issue

WHats the deal with this one?

CONFIDENTIALITY NOTICE

This message and the accompanying documents are intended only for the use of the individual or entity to which they are addressed and may contain information that is privileged, confidential, or exempt from disclosure under applicable law. If the reader of this email is not the intended recipient, you are hereby notified that you are strictly prohibited from reading, disseminating, distributing, or copying this communication. If you have received this email in error, please notify the sender immediately and destroy the original transmission.

From: Cabahug, Joseph <jcabahug@howardcountymd.gov>
Sent: Wednesday, February 17, 2021 4:10 PM
To: Williams, Jeffrey <jewilliams@howardcountymd.gov>; Wolf, Kevin <KWolf@howardcountymd.gov>
Cc: Bricker, Robert <RBricker@howardcountymd.gov>
Subject: 2730 Jennings Chapel_Well Issue

Jeff/Kevin

It's come to my attention that a property out on Jennings Chapel may have tried to pull a fast one and get their PC signed and I want to give them an NOV on the grounds of 26.04.04.38 up to and including a double misdemeanor for violating upper terminal well construction and knowingly providing a false statement, representation, and certification in their record percolation certification.

The well is still fernco attached in an open pit with a taped up one piece cap.

Requesting to send NOV.