

BEFORE THE BOARD OF APPEALS FOR CHARLES COUNTY, MARYLAND

In Re: Special Exception Application Of Washington Security Group, Docket #1232

Issues presented:

1. Whether the activities stated in the application correctly fall under categories other than “research facility”?
2. Whether multiple special exceptions should be allowed in any event on a given parcel of property?
3. Whether the facilities proposed should be considered “research facilities”?
4. Whether the project proposed will result in an inordinate impact on vicinal properties?
5. Whether many of the activities proposed involved the “processing of materials”.

The activity stated in the application by law should not be considered a “research facility”.

Applicant has characterized the activities for which it requests special exception as a “research facility”. The term research facility is undefined in the county code, but is included in the table of permissible uses as use number 7.0 4.00- research facilities and laboratories. A special exception is allowed in the AC zone only for research facilities and laboratories *without the processing of materials*.

The application in question attempts to lump several facilities and activities under the aegis of “research facility”, including a tactical driving course, a massive rifle range, an airport facility, and a new two-story building, purportedly for use as an “on-site office.” [see note #1]

1. The application is flawed in that it attempts to take four activities, all not permitted uses within the AC zone, and has them all considered as activities that fall under the aegis of “research facility.” Article 297-62 of the County Code states:
 - A. The list of permissible uses set forth in the Table of Permissible Uses are all inclusive; *those uses that are listed shall be interpreted by the Zoning Officer to include other uses that have similar impacts to the listed uses.*
 - B. The Table of Permissible Uses shall not be interpreted to allow a use in one zone when the use in question is more closely related to another specified use that is permissible in other zones...

D. Whenever a proposed use could fall within more than one use classification in the Table of Permissible Uses, the Zoning Officer shall interpret the proposed use to be included in that classification which most closely and most specifically describes the proposed use. (emphasis added)

There are reasons to doubt the credibility of the applicant in attempting to call this facility, or rather these facilities, as research facilities. Even assuming for the sake of argument the veracity of the applicant, the code requires that the facilities be analyzed against the classification, which most closely and specifically describes the proposed use. Also, the government is constrained to interpret the application to include other uses that have similar impacts to listed uses.

In applying this reasoning to the application at hand, the applicant attempts to achieve special exception for three classifications for which special exception is available in the AC zone:

1. A research facility
2. An outdoor rifle range
3. A racetrack

as well as one use that is not available by special exception in the AC zone, that is: a public or commercial airport.

Once again, for the moment, assuming arguendo the good faith of the applicant regarding a research facility, I will address the other uses:

Rifle (shooting) range: there are two classifications for rifle and pistol ranges. 4.02.130 addresses indoor rifle and pistol ranges, and 4.02.290 applies to outdoor “rifle and pistol ranges, wargames, archery ranges, or other recreational activities using weapons.”

Clearly, the rifle range activity sought by the applicant more closely parallels the activities listed in 4.02 .290 than the activities listed in 7.01 .000. While the former classification mentions recreational activities, there would be exceedingly small differences in the impact of the rifle and pistol range proposed by the applicants to a recreational rifle and pistol range. Both activities involve the discharge of firearms, both activities involve potential contaminants from lead and other material involved in the discharge of firearms, both involve noise issues, both involve safety issues of stray bullets, and both involve similar environmental impacts. Applying the standard of 297-62 D, this activity must be considered under exception 4.02.290, since it more specifically and accurately describes the activity and the impact.

Likewise, the applicants seek a “driving tactics research course”. The proposed drawing leads one quickly to believe that this is not a research

course, but rather a training course. [see note #2] Indeed, the application and testimony bear out that the Applicant intends to use this site primarily for training. In any event, based on the representations of the applicant, there will be driving occurring on this course that would not comport with the safe driving rules of the road for Maryland highway driving. We know this because the applicant claims to be researching and training driving techniques for those involved in counterterrorism activities.

The government is once again constrained to compare the generic category of “research facility” to the more specific category of “automobile and motorcycle racing tracks”, 4.02.250. This category is also permitted within the AC zone. However, the applicant attempts to cram four uses into this one application. This certainly raises issues beyond the normal decision-making process for special exceptions. Maryland case law on the issue of special exceptions is based upon cases in which the applicant was seeking one special exception use, not four.

The fourth use is that of the commercial airport facility. A private use airport is allowed by special exception in the AC zone. However, 297-49 defines a private use airport as:

AIRPORT, PRIVATE USE -- Any airport for personal use of the property owner, which includes no commercial uses

Clearly, the applicant is already engaged in commercial use of the airport facility in violation of the zoning ordinance. This is borne out by their advertisement on their Internet website:

Located approximately 30 miles from the Pentagon, Washington Field is a Federal Aviation Administration (FAA) approved “private” (non-public use) airport (FAA Airport ID: 70MD) located in Charles County, MD. The 80-acre facility includes a 2,000-foot [sic] runway and a variety of aviation support structures in an area close to our nation’s capital and within easy driving distance from a number of federal organizations chartered with preventing the use of WMD. WSG submitted a formal request to the FAA and subsequently gained approval to change the name of the airport from “Parks Airport” to “Washington Field.” WSG is registered with the FAA to manage the Airport. Washington Field is a “private” airport and any and all flight operations must be approved in advance and in writing. Public use flights and commercial operations are not allowed and will not be approved, tie-downs and hanger space is not available for rent/lease, and fuel is not stored at the airport or available for sale.

While indicating that public use flights and commercial operations are not allowed, the advertisement of the facility makes no sense at all, unless the applicant intends to use it commercially. Indeed, the applicant is holding it out as a facility for its commercial purposes by placing it on its website, which was done long before this application was made. The Applicant has already contracted with the U.S. Government to use the site as both a training site and an airport in violation of current zoning laws. Attached as Exhibit A see a copy of the GSA contract for the subject property.

There is also an airplane stored on the site, which does not belong to the applicant or the owner of the property. Any use other than for the personal use of the property owner is a violation of the private airport zoning designation. This is especially true if the owner of the airplane is paying rent.

A photo of the airplane is attached as Exhibit B. The photo was taken several weeks ago.

The applicant has shown through actions its intent (and its current use in violation of Zoning Ordinance) to make commercial use of the airport facility. Commercial use is not allowed even by special exception in the AC zone. Under no circumstances can commercial use of this facility and its accessory buildings be allowed in this special exception hearing, or in a proper special exception hearing which would be requesting a special exception under the proper classification.

Multiple Special Exceptions on the Same Property should be prohibited, or in the alternative, presumed to be inconsistent with the master plan, and disfavored.

As shown above, the applicant is seeking not one but three uses allowable only by special exception in the AC zone, and one use (the commercial use airport facility) that are not allowed even by special exception in the AC zone. This protestant asserts that each of these uses must be addressed by a separate special exception proceeding, in which the applicant assigns the proper classification to each use. As shown above, the only use which may have some propriety in this application is the “research facility” classification, but only as applied to the existing buildings on site, or to the proposed building structure. The other uses, a rifle range, an airport facility, and a racetrack, must be filed under the classifications that most specifically define the activities and the impacts.

Even if the applicant had made proper application for four special exceptions, this board should exercise its discretion in determining that multiple special exception uses on the same property are to be either prohibited or strongly disfavored. This is so because special exception categories in the zoning

ordinance were not written in contemplation of multiple special exception uses. Multiple special exception uses may have impacts that compound each other, or are inconsistent with each other. An example of this may be found within the uses sought by the applicant on this project. Suppose that a plane is on final approach to the airport (that would have to be allowed by an error, since a commercial use is not permissible by special exception in the AC zone), at the same time there are “researchers” firing on the firing range. A ricochet or stray bullet could cause catastrophe as the aircraft passes overhead, either on takeoff or landing. This scenario is also contemplated in the USAF design standards cited by the applicant, which specify a Vertical Danger Zone (VDZ) of 550 yards above the firing range. [see note #3]

Research facilities v. Training Facilities

Until this point, this Opposition has assumed *arguendo* that the applicant acted in good faith in characterizing these facilities as “research facilities”. It is now time to state that the applicant has not acted in good faith in that regard. While the shadowy act applicant may or may not engage in “research activities”, is quite evident from the application, from the website of the applicant, and from the proposed facilities, that what it proposes has a primary purpose of training, and perhaps a vague ancillary purpose of research.

The contents of the applicant's website were changed dramatically recently, after local opposition to this application was being voiced. However, the contents of the website was downloaded prior to the revamping of the website.

Attached as Exhibit C. is the downloaded text from the website, which clearly indicates that the applicant's primary function is training.

One look at the proposed firing range also bears this out. The firing ranges are in excess of the size of three football fields. The width of the firing range area is approximately 400 feet. Subtracting the distance for the berms, and assuming a 2 feet distance between each shooter, an estimated minimum of 50 shooters could use this range at the same time. It's quite evident that this range is designed for training significant numbers of trainees, as opposed to having a few researchers testing equipment.

Similarly a look at the chart of the proposed facilities indicates approximately 25 parking spaces at the “driving research facility”. The total number of parking spaces shown on the facilities drawing is approximately 76. This is not intended by any stretch of the imagination to be a research facility. Rather it is intended to be a training facility. However, the closest training classification, 4.01.120 trade or vocational school, does not allow use in the AC zone by special exception. Employment of the rule of interpretation stated

in 297-62 D once again leads us to the conclusion that the trade or vocational school classification more appropriately fits the purposes for which the applicant intends this property.

The projects proposed, with their multiple special exception uses, will have an inordinate impact on this particular vicinity.

There is no valid percolation test on the property. There is no evidence of a storm water management system on the site plan. These items are essential to determine if the site is suitable for the uses that the applicant proposes. Applicant admits that the subject property has failed to percolate in the past. This is critical information not just for sanitary sewer purposes, but for the installation of a firing range.

The four proposed uses that make up this “Research Center without manufacturing of goods” proposal include:

- Rifle and Pistol Ranges, War Games, or other (outdoor) recreational activities using weapons (4.02.290),
- Automobile and Motorcycle Racing Tracks (4.02.250),
- Private Use Airport (4.05.210),
- Professional Offices designed to attract and serve customers or clients on the premises (5.01.111) (not permitted in AC)

The four proposed uses be detrimental to or endanger the public health, safety, and general welfare of the local residents of Nanjemoy in this way:

- A. The applicant has chosen perhaps the worst site on the subject property, to build a firing range. In addition, the applicant has chosen a site that is completely inappropriate for a firing range. This is true because of the proximity to Beaver Dam Creek, which is already environmentally challenged, because the soils in this locale do not percolate well, because the soils in Nanjemoy tend to be acidic, and because the firing range is on land that slopes steeply to Beaver Dam Creek. In addition, the target end of the range adjoins public land, State Park land, where the public is invited to hunt. This creates an unsafe situation for the public who use the State park.
- B. Metals from spent ammunition imbedded in the earthen berms of the firing range include lead, copper, arsenic and steel. These metals also get into the soil through vapors from the firing of the weapons. When left in contact with earthen berms and surrounding in contact with acid soils and water (as in rain or irrigation) these metals are so toxic that the Federal Courts have defined the lead from firing ranges as hazardous waste. These metals including lead will

leach into groundwater, surrounding low lands and Beaverdam Creek which is protected by a Resource Protection Zoning of Charles County. The amount that leaches will be even worse than it would if the applicant had chosen a proper site, because the EPA Best Management Practices for shooting ranges and the USAF publication on the construction of firing ranges, both documents referred to by the applicant, would never allow this site to be chosen, due to its proximity to wetlands, proximity to creek, poorly drained soils, and acidic soils.

- C. The possibility of misfired and/or ricocheted ammunition from high-powered military scale weapons could injure, maim or kill unsuspecting people, birds or other animals as far as two miles away or as close as an airplane taking off or landing using the proposed vertical baffles as overhead containment. This baffle design that the applicant plans is unsafe, and is not even permitted by the by the engineering specifications currently adopted by the applicant (US Air Force (Section 7.5.2). The USAF standards for this type of range and this type of ammunition would require the establishment of a “Surface Danger Zone” (SDZ) around the firing range and behind the backstop. According to Air Force Standards, this SDZ would have to be entirely on property belonging to the government. The SDZ for this type of range, and for the ammunition specified by the applicant, would result in an SDZ extending behind the range for about two miles. The applicant does not own the land 1100 meters behind its proposed range. It is Maryland parkland. The USAF standards also indicate what it refers to as a “vertical danger zone” which varies with the type of ammunition fired, using the properly designed range. The vertical danger zone for the most powerful ammunition to which the applicant admits would result in a vertical danger zone of more than 500 yards, which is clearly a threat to aircraft taking off and landing on the runways on the site.
- D. The USAF standards also refer to a safety zone of two miles from the range for the type of ammunition to which the applicant admits. Within two miles of the project site are Purse State Park, Potomac River, Nanjemoy Community Center, Post Office, Fire House, Nanjemoy Store, the County-designated Nanjemoy Village Center, dozens of neighbors and an untold number of wild and domesticated animals including nesting pairs of eagles.
- E. The unfenced site that may or may not house valuable weapons, ammunition, explosives, an appearance of bio-chemicals, tanks of gasoline and airplane fuel, and a standing fleet of vehicles and airplanes, must be considered not only an “attractive nuisance” but also a target for vandals, thieves, and possibly terrorists. A 24-hour caretaker or guards will not be sufficient to secure this very dangerous site.
- F. Local emergency first responders (fire, ambulance, sheriff) are neither adequately staffed nor nearby, creating an undue burden on their budgets and services. These are dangerous activities, and this is a site fairly remote from hospitals, doctors, and adequate emergency services.

- G. The noise created by the firing range, as well as the racetrack, will disrupt nesting bald eagles. There are numerous nesting sites within two miles of the site.
- H. The applicant underestimates the noise from the racetrack operation. The witness who testified regarding noise testing was not an expert witness. He testified that the tests were run using the levels of noise associated with the steady state sound of an automobile at 50 mile per hour. Yet the track is to be use for training people how to avoid terrorist kidnapping and attack scenarios. These obviously include the screeching of tires in panic stops, panic reverses, and deliberate sliding of vehicles. It does not take an expert to realize that these squealing sounds are far louder and more distressing both to humans and wildlife than the steady state noise of an automobile at 50 miles per hour.

The four proposed uses would be detrimental to the use, peaceful enjoyment, economic value and/or development of surrounding properties or general neighborhood:

- I. The possibility of ammunition falling anywhere at anytime in the day certainly will discourage outdoor recreational activities in an area that is touted by the county and appreciated by local residents as “wildlife areas” with hiking and kayaking trails, bass fishing and birding, and just plain enjoying the peace and quiet.
- J. An active para-military scaled training site will not enhance an already depressed real estate market in rural, recreational, residential Nanjemoy. It is not in keeping with the intent of the County’s Comprehensive Plan Agricultural Conservation zoning with a Natural Resource Protection overlay, or with the *Nanjemoy Vision Plan 2020* which had bed and breakfasts, rustic camping, fishing piers and boating docks, picnicking, and environmental tourism in mind.
- K. The many residents, outside visitors and all of the wildlife within a few miles of this location (“earshot”) will not be reassured of their safety and well being with the sound of automatic gunfire from multiple weapons and screeching tires from a tactical/race track.
- L. Removing ten additional acres of forest will hasten degradation of the health and well being of Beaverdam Creek and the groundwater. A close calculation of the total percentage of impervious surfaces proposed for this 80-acre site must be made prior to construction to meet county standards.

The four proposed uses would have decidedly objectionable impacts from anticipated increase in traffic, noise, type of physical activity, fumes, odors, dust and glare:

- M. If there are no overnight lodgings or food preparation facilities on-site as testified by the applicant, all trainee clients must travel in and out of Nanjemoy via local and secondary roads a minimum of 17 miles each way to

either La Plata or Indian Head for both accommodations and food potentially increasing the traffic in Nanjemoy dramatically.

- N. There are no para-military or recreational firing ranges or tactical driving/race car tracks in Nanjemoy at this time so the first one will definitely be considered noisy, intrusive, and harassing. The type of sounds and the decibels of the sounds both are to be considered. The sound of automatic gunfire from as many as 50 simultaneous weapons, plus screeching tires, more gunfire and shouting simply cannot be compared with the usual birdsong, occasional tractor or emergency siren heard in the neighborhood. An increase in air traffic will not go unnoticed.
- O. The very nature of an outdoor firing range using live ammunition creates toxic lead-laden dust that will be windblown to the nearby vicinity.
- P. The Dark Skies protocol of both Nanjemoy and regional localities served by Southern Maryland Electrical Cooperative (SMECO) must be met with all stationary outdoor lighting or they will be considered unnecessarily intrusive.
- Q. Headlamps from moving vehicles on the tactical driving range shining into neighbor's windows at any time will be considered a nuisance.
- R. Depending on the governmental security clearance of this facility, Liverpool Point Road may have to have additional impervious shoulders or whole driving lanes added to its width spoiling the rural appearance and tenor of this local road and sole access to this site other than by air.
- S. Nanjemoy is the second least populated area of the state, second to Western Maryland. This is so because there is a peninsula created by the Potomac River cradling the Nanjemoy peninsula. There are virtually no industries within that peninsula, and virtually the exclusive use of the peninsula currently is agricultural, undeveloped, and residential. The area is also blessed with some of the most pristine waterways in the State, including the Nanjemoy Creek, to which Beaver Dam Creek, adjacent to the proposed firing range, is a troubled tributary. The rarity of such a wild and natural area so close to a major Metropolitan area, and especially the Nation's Capitol, has been recognized by the public, and our leaders as well.
- T. In 2004, the citizens of Nanjemoy joined together with the U.S. Bureau of Land Management, the Maryland Department of Natural Resources, and the Charles County Government to create the Nanjemoy Vision Plan, in an effort to ensure that the relatively low cost of property and the did not result in inappropriate development in this special area. This plan won national honors, winning both the Bureau of Land Management "Four C's Award", given by the Director of the Bureau, and the American Planners Association Community Initiative Award. This proposal runs completely contrary to the Nanjemoy Vision Plan. Industries of this sort, with their attending noises and environmental hazards are not to be permitted within the Vision Plan area. Indeed, the stated goal of the County is to preserve our rural heritage, and there is no part of our county that has that rural nature as much as Nanjemoy. This makes Nanjemoy precious gem that requires special effort and vigilance

to preserve. Attached as Exhibit D is a copy of the award-winning Nanjemoy Vision Plan.

Many of the activities proposed involve the “processing of materials”, and should, under any circumstances, be prohibited.

The term “without the processing of materials” is undefined in the zoning ordinance. When a term is undefined, it should be interpreted in its context, and by the plain meaning of the language.

The relevant entries in Webster’s dictionary for the word processing are:

- to subject to a special process or treatment (as in the course of manufacture or film development)
- to subject to or handle through an established usually routine set of **procedures**
- to subject to examination or analysis

The relevant entries in Webster’s for *materials* are:

- the elements, constituents, or substances of which something is composed or can be made
- matter that has qualities which give it individuality and by which it may be categorized < eg. explosive *materials*>
- something that may be worked into a more finished form
- something used for or made the object of study

For context, we refer to the classification itself, which is *research facility*.

Using these terms and their plain meaning in context, the phrase “without the processing of materials” when referring to a research facility would mean refraining from the treatment, handling, or analysis of elements, constituents, or substances, or matter. The prohibition is vague and sweeping, just as the term “research facility” is vague and sweeping in the context of zoning and special exceptions.

Certain meanings can be inferred from the language. The drafters intended there to be a difference between “research facilities with the processing of materials” and “research facilities without the processing of materials”. The former is prohibited in the AC zone, and the latter is allowable by special exception. Certainly, the terms and the context

imply that the latter classification is for an environment in which no testing on or combination of materials takes place, but only intellectual analysis, study, and work.

The applicant, while being extremely vague in the application, has stated that the “research” to be performed will include, for example, the testing of bulletproof materials, which is clearly the processing of materials. Based upon the remainder of the application, it is easy to surmise that the applicant is also going to process materials that simulate biological and chemical warfare agents, the applicant is going to process equipment (materials), weapons (materials) ammunition (materials) and vehicles (materials).

Since the Applicant’s parent organization – Washington Security Group, Inc. has an FDA permit to keep primates for testing, it is also possible that they will use this site to conduct research on chimpanzees. Attached as Exhibit E is a copy of the USDA permit. This would also amount to “processing of materials”.

So, once again, the applicant jams the square peg into the round hole. This application is made for a “research facility”, even though it is a training facility (primarily), the application is made for a “research facility without the processing of materials” even though materials will be processed by the applicant’s own admission. Why bother to misclassify these activities as “research facility without the processing of materials”? Because it is the only classification available that can be distorted to cover all of the activities that the applicant seeks (Rifle range, commercial airport, racetrack, office building), that is also available by special exception in the AC zone. Indeed, this application is not new. This application is a retread of the 2006 application by a shadowy corporation calling itself “Global Tactical Solutions”, coincidentally, on the property neighboring the subject property, with the same engineering firm, and with the same law firm. Only Global Tactical Solutions sought only a rifle range. Strangely, enough, after withdrawing their application, Global Tactical Solutions disappeared.

Also, once again, the Board of Appeals is dealing with a shadowy entity. The applicant, WSG Holdings, LLC is a Maryland limited liability company. But who will be held responsible for breach of any conditions set by this Board? A look at the LLC documents shows that no one who actually owns an interest in the LLC has disclosed his or her name on the company documents. The only name of a person associated with the LLC on the documents is their Maryland real property attorney. Indeed, Washington Security Group is a corporation chartered in D.C., and has not registered to conduct any business in Maryland, nor Virginia, nor Florida, nor Wyoming, These are all states where Washington Security Group, Inc., admits to be operating. It violates the laws of each of those states by failing to register to do business in those states, including Maryland. Indeed, it is advertising the subject property as open for business on its website, and has a standing contract with U.S. GSA to use the subject site, all without being registered to do business in Maryland.. Who is responsible for the statements made to the Board of Appeals, the LLC, chartered in 2008 with no names of owners, or the Washington D.C. Corporation (Washington Security Group, Inc.) without legal status in Maryland?

This application should be denied in toto for the reasons stated above.. But if, for some reason, the Board of Appeals decides to grant a Special Exception limited to a “research facility without the processing of materials”, then the following conditions should be specified in the Special Exception:

1. No firing range, use of weapons, storage of weapons, storage of ammunition. These amount to the “processing of materials” by the “research facility”. If it were permitted, it would have to be permitted in an application for a firing range. In the alternative, specify the maximum type of ammunition to be used, that an SDZ be established in accordance with the USAF engineering standards, and that the SDZ area be completely contained on the applicant’s own premises.
2. No use of the airport, runway, or hangars for aircraft except for the personal use of the owner of the property. This personal use does not include the transportation of clients or customers of Washington Security Group.
3. No “tactical driving research area” because this amounts to “processing of materials.” If it were to be permitted it would have to be permitted in an application for a racetrack.
4. No keeping of animals for research purposes on the subject property, as this amounts to “processing of materials”.
5. That a bond large enough to cover the cost of hazardous material remediation and damages be required for the entire time that this facility is in operation. Otherwise, the local government could have to pay for hazardous waste remediation on this site.

Respectfully Submitted,

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Note #1: “on-site office” is noted as per the WSG application. Chapter 297 Permissible Uses: 5.01.000 All operations conducted entirely within fully enclosed building, 5.01.100 Operations designed to attract and serve customers or clients on the premises; 5.01.111 Professional Offices and 5.01.115 Business Services are not permissible.

Note #2: The Driving Tactics Course shown in the 2/24 presentation was three times as extensive in scale and complexity as the original site plan.

Note #3: the original application mislead us into believing that this was a “non-contained firing range” as per USAF standards. The applicant’s 2/24 presentation revealed a new design that would be considered a “Partially Contained Range.” The SDZ on such a range, using the ammunition information that the applicant is using could be 11,000 feet (>2 miles).

From the USAF definitions: *Small Arms Range:* A live-fire training facility for training and certifying personnel in the use of handguns, shotguns, rifles up to 7.62mm, rifles or machine guns up to .50 caliber, and the MK-19 40mm machine gun. A small arms range may include special ranges for 40mm grenade launchers, light anti-tank weapons (LAW), and 81mm mortars. Equipment items such as fully (self-) contained portable or expeditionary ranges fall into this category.

6.2. Surface Danger Zone (SDZ): The portions of the range in the horizontal plane that are endangered by firing a particular weapon. The SDZ includes the area between the firing line and the target line, an impact area, a ricochet trajectory area, and a secondary danger area. The SDZ may also include a weapon back-blast area.

The SDZ must be located completely within the boundaries of U.S. government-owned or -leased properties.

6.3. Vertical Danger Zone (VDZ): For non-contained and partially contained ranges, ***the VDZ is the volume of airspace above the SDZ between the ground surface and the maximum ordinate of a direct-fired or ricochet round.*** The height of the VDZ varies with the weapon and ammunition fired (see Attachment 1).

6.5. Partially Contained Range: This range has a covered firing line, side containment, overhead baffles, and a bullet backstop. Direct fire is totally contained by the firing line canopy, side containment, baffles and bullet trap (no “blue sky” observed from firing positions). Ricochets are not totally contained, but reduced by the baffles and side containment. A partially contained range requires an SDZ length equal to 50 percent of the maximum range of the most powerful round to be used on the range. A partially

contained range will not permit lateral movement along the firing line or movement toward the target line unless the range has the additional baffles required to stop direct fire at the downrange firing lines.

7.5.2 Ballistic Safety Structures, *Overhead Baffles*: An overhead baffle is an angled baffle (vertical baffles are not authorized for new range projects)."

SEE Table 1. Minimum SDZ Distance Requirements for Small Arms Ammunition — Non-contained Range