



Senate Bill 1074

Environment - Industrial Sludge Utilization Permit - Establishment

MACo Position: **SUPPORT**
WITH AMENDMENTS

To: Education, Energy, and the Environment
Committee

Date: March 5, 2024

From: Dominic J. Butchko

The Maryland Association of Counties (MACo) **SUPPORTS** SB 1074 **WITH AMENDMENTS**. The bill, among other actions, broadens county input related to the state permits for industrial sludge utilization and in enforcing certain provisions should an entity violate their permit.

Industrial sludge is a by-product of large-scale animal husbandry, and – if properly applied in controlled doses – can be an effective fertilizer. Agricultural operators who apply sludge to their crops, largely choose to do so due to profit motive. Companies that produce sludge pay top dollar to get rid of the substance as it has an extremely noxious aroma and is highly regulated in most jurisdictions. As state leaders have yet to adopt adequate regulations, profit-hungry operators have begun a “sludge rush” on Maryland, applying huge unnecessary quantities and storing massive volumes in agricultural communities. Residents who live within proximity to these operations describe serious localized effects of these dispersals.

Counties support SB 1074 as the first step in ending the sludge rush, but believe it does not go far enough. Counties request the following three amendments:

- On page 3, after line 22, INSERT:
“(E) THE DEPARTMENT MAY:
(1) DELEGATE ANY AUTHORITY UNDER THIS SECTION TO A COUNTY OR MUNICIPALITY AT THE REQUEST OF THE GOVERNING BODY OF THE COUNTY OR MUNICIPALITY, AND
(2) MAY REVOKE ANY DELEGATED AUTHORITY AT THE DEPARTMENT’S DISCRETION OR AT THE REQUEST OF THE GOVERNING BODY OF THE COUNTY OR MUNICIPALITY.”
- On page 5 after line 5, INSERT:
“(V) ANY HOUSEHOLD WITHIN 1 MILE OF WHERE THE SLUDGE WILL BE APPLIED OR THE FACILITY WILL BE CONSTRUCTED; AND”
- On page 5, after line 14, INSERT:

(2) THE DEPARTMENT MAY NOT ISSUE A PERMIT TO INSTALL, MATERIALLY ALTER, OR MATERIALLY EXTEND AN INDUSTRIAL SLUDGE COMPOSTING FACILITY OR INDUSTRIAL SLUDGE STORAGE FACILITY UNTIL:

- THE INDUSTRIAL SLUDGE COMPOSTING FACILITY MEETS ALL ZONING AND LAND USE REQUIREMENTS OF THE COUNTY OR MUNICIPALITY WHERE THE INDUSTRIAL SLUDGE COMPOSTING OR STORAGE FACILITY IS TO BE LOCATED.

- On page 5, at line 15, STRIKE “(2)” and INSERT “(3)”

With these amendments, counties believe the State and county governments will have a necessary tool to halt the sludge rush on Maryland. Accordingly, MACo urges the Committee to issue SB 1074 a report of **FAVORABLE WITH AMENDMENTS**.