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By: Delegates Perry, Cadden, Baldwin, Conroy, Proctor, Hammen, Kach, Burns, Rzepkowski, Love, Baldwin, Turner, Pitkin, Bissett, Clagett, Hubbard, Bobo, Frush, Leopold, Greenip, and Schade

Introduced and read first time: February 2, 1996

Assigned to: Environmental Matters

A BILL ENTITLED

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7 11 1	1101	concerning

2 Rubble Landfills - Liners - Local Authority

- $3\,$ FOR the purpose of authorizing a local jurisdiction in which a rubble landfill or
- 4 expansion is proposed to require a liner and leachate collection system under
- 5 certain circumstances; prohibiting the Secretary of the Environment from issuing
- 6 certain permits for certain rubble landfills or expansions without certain conditions
- 7 under certain circumstances; providing that certain local authority is deemed waived
- 8 under certain circumstances; and generally relating to rubble landfill permits and
- 9 local jurisdictions.
- 10 BY repealing and reenacting, with amendments,
- 11 Article Environment
- 12 Section 9-210(b)
- 13 Annotated Code of Maryland
- 14 (1993 Replacement Volume and 1995 Supplement)
- 15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
- 16 MARYLAND, That the Laws of Maryland read as follows:

17 **Article - Environment**

18 9-210.

- 19 (b) (1) The Secretary may not issue a permit for a rubble landfill under §
- 20 9-204(a) of this subtitle unless:
- 21 (I) [the] THE county in which the rubble landfill is located has
- 22 specified the types of waste that may be disposed of in that rubble landfill in its county
- 23 solid waste management plan under Subtitle 5 of this title; AND
- 24 (II) EITHER:
- 25 1. THE SECRETARY HAS INCLUDED A REQUIREMENT FOR A
- 26 LINER AND LEACHATE COLLECTION SYSTEM FOR THE RUBBLE LANDFILL OR
- 27 EXPANSION AS A CONDITION OF THE PERMIT; OR

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3	2. THE LOCAL JURISDICTION IN WHICH THE RUBBLE LANDFILL IS LOCATED HAS WAIVED ITS AUTHORITY TO REQUIRE A LINER AND LEACHATE COLLECTION SYSTEM FOR THE RUBBLE LANDFILL OR EXPANSION UNDER PARAGRAPH (4) OF THIS SUBSECTION.		
5 6	(2) The types of waste that a county may allow to be disposed of in a rubble landfill under this section include:		
7	(i) Trees;		
8 9	(ii) Land clearing debris that is not a controlled hazardous substance as defined in Title 7, Subtitle 2 of this article;		
10 11	(iii) Demolition debris that is not a controlled hazardoussubstance as defined in Title 7, Subtitle 2 of this article; and		
12 13	(iv) Construction debris that is not a controlled hazardous substance as defined in Title 7, Subtitle 2 of this article.		
	(3) The following types of waste may be disposed of in a rubblelandfill subject to the regulations adopted under this subtitle if the disposal of these wastes is expressly approved by the county in its county solid waste management plan:		
17	(i) Asbestos, if:		
	1. The asbestos is wet or otherwise in accordance with federal national emission standards for hazardous air pollution when delivered to the landfill; and		
21 22	2. The owner or operator of the landfill retains a record that clearly delineates where the asbestos has been deposited;		
23	(ii) White goods; and		
24	(iii) Subject to § 9-228(f) of this subtitle, scrap tires.		
27 28 29 30	(4) (I) NOTWITHSTANDING ANY REGULATION ADOPTED BY THE DEPARTMENT UNDER THIS SUBTITLE, IN ACCORDANCE WITH THIS PARAGRAPH, A LOCAL JURISDICTION IN WHICH A RUBBLE LANDFILL OR AN EXPANSION OF AN EXISTING RUBBLE LANDFILL IS PROPOSED MAY REQUIRE THE RUBBLE LANDFILL OR EXPANSION TO INSTALL A SINGLE LINER AND LEACHATE COLLECTION SYSTEM AS A CONDITION TO BE INCLUDED BY THE SECRETARY IN A PERMIT FOR THE RUBBLE LANDFILL OR EXPANSION.		
32 33	(II) THE SINGLE LINER REQUIRED BY A LOCAL JURISDICTION MAY BE:		
34 35	1. ONE FOOT OF CLAY, WITH A PERMEABILITY OF LESS THAN 0.0000001 CENTIMETERS PER SECOND; OR		
36 37	2. A REINFORCED SYNTHETIC MEMBRANE AT LEAST 30 MILLIMETERS THICK.		

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- 1 (III) THE LOCAL JURISDICTION SHALL NOTIFY THE SECRETARY TO
- 2 INCLUDE THE REQUIREMENT FOR A LINER AND LEACHATE SYSTEM WITHIN 60 DAYS
- 3 AFTER THE LOCAL JURISDICTION RECEIVES THE COMPLETE PHASE 2 REPORT FOR
- 4 THE PERMIT APPLICATION.
- 5 (IV) A LOCAL JURISDICTION THAT FAILS TO NOTIFY THE
- 6 SECRETARY WITHIN THE PERIOD SPECIFIED IN SUBPARAGRAPH (III) OF THIS
- 7 PARAGRAPH SHALL BE DEEMED TO HAVE WAIVED ITS AUTHORITY TO REQUIRE A
- 8 LINER AND LEACHATE COLLECTION SYSTEM FOR THE PERMIT.
- 9 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect 10 July 1, 1996.