
By: Delegates Frush, Dembrow, Menes, Rosapepe, Hixson, and Franchot

Introduced and read first time: February 2, 1996

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Environment - Sewage Sludge Facilities - Odor Zones**

3 FOR the purpose of requiring the Department of the Environment to adopt regulations
4 establishing an odor zone around sewage sludge facilities; requiring the Department
5 to notify certain persons within a certain time period that an odor zone has been
6 established; requiring a sewage sludge generator to notify a homeowner that the
7 homeowner is located in an odor zone and eligible to receive a property tax credit;
8 establishing a property tax credit; and generally relating to the establishment of
9 odor zones around sewage sludge facilities.

10 BY repealing and reenacting, without amendments,
11 Article - Environment
12 Section 9-201(m)
13 Annotated Code of Maryland
14 (1993 Replacement Volume and 1995 Supplement)

15 BY adding to
16 Article - Environment
17 Section 9-250
18 Annotated Code of Maryland
19 (1993 Replacement Volume and 1995 Supplement)

20 BY adding to
21 Article - Tax - Property
22 Section 9-227
23 Annotated Code of Maryland
24 (1994 Replacement Volume and 1995 Supplement)

25 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
26 MARYLAND, That the Laws of Maryland read as follows:

2

1 **Article - Environment**

2 9-201.

3 (m) (1) "Sewage sludge generator" means a person who owns or operates a
4 facility that receives and processes sewage in this State or produces sewage sludge to be
5 utilized in this State.

6 (2) "Sewage sludge generator" includes:

7 (i) The Washington Suburban Sanitary Commission; and

8 (ii) The Maryland Environmental Service.

9 (3) "Sewage sludge generator" does not include the owner or operator of a
10 septic system.

11 9-250.

12 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
13 INDICATED.

14 (2) "HOMEOWNER" MEANS AN OWNER OF RESIDENTIALLY USED REAL
15 PROPERTY SITUATED ENTIRELY OR IN PART WITHIN AN ODOR ZONE.

16 (3) "ODOR ZONE" MEANS A 2-MILE CIRCULAR AREA OF LAND
17 SURROUNDING A SEWAGE SLUDGE FACILITY.

18 (B) THE DEPARTMENT SHALL ADOPT REGULATIONS THAT ESTABLISH AN
19 ODOR ZONE AROUND EACH SEWAGE SLUDGE FACILITY PERMITTED TO RECEIVE
20 AND PROCESS SEWAGE IN THIS STATE UNDER § 9-204 OF THIS SUBTITLE.

21 (C) WITHIN 30 DAYS AFTER ADOPTION OF THE REGULATIONS, THE
22 DEPARTMENT SHALL NOTIFY THE FOLLOWING PERSONS IN WRITING THAT AN
23 ODOR ZONE HAS BEEN ESTABLISHED AROUND A SEWAGE SLUDGE FACILITY:

24 (1) THE SEWAGE SLUDGE GENERATOR;

25 (2) THE COUNTY IN WHICH THE SEWAGE SLUDGE FACILITY IS
26 LOCATED; AND

27 (3) IF THE SEWAGE SLUDGE FACILITY IS LOCATED IN A MUNICIPALITY,
28 THE MUNICIPALITY.

29 (D) WITHIN 30 DAYS AFTER RECEIVING THE NOTIFICATION IDENTIFIED IN
30 SUBSECTION (C) OF THIS SECTION, A SEWAGE SLUDGE GENERATOR SHALL NOTIFY
31 EACH HOMEOWNER IN THE ODOR ZONE, IN WRITING, THAT THE HOMEOWNER IS:

32 (1) LOCATED WITHIN AN ODOR ZONE; AND

33 (2) MAY BE ELIGIBLE TO RECEIVE A PROPERTY TAX CREDIT.

3

1 **Article - Tax Property**

2 9-227.

3 (A) THE GOVERNING BODY OF A COUNTY OR MUNICIPAL CORPORATION
4 MAY GRANT A PROPERTY TAX CREDIT UNDER THIS SECTION AGAINST THE
5 APPLICABLE COUNTY OR MUNICIPAL CORPORATION PROPERTY TAX IMPOSED ON
6 OWNER-OCCUPIED RESIDENTIAL REAL PROPERTY SITUATED ENTIRELY OR IN PART
7 WITHIN AN ODOR ZONE THAT HAS BEEN MOST RECENTLY ADOPTED BY THE
8 MARYLAND DEPARTMENT OF THE ENVIRONMENT AS OF THE FIRST DAY OF THE
9 TAXABLE YEAR.

10 (B) THE GOVERNING BODY OF A COUNTY OR OF A MUNICIPAL
11 CORPORATION MAY PROVIDE, BY LAW, FOR:

12 (1) THE AMOUNT AND DURATION OF THE PROPERTY TAX CREDIT
13 UNDER SUBSECTION (A) OF THIS SECTION; AND

14 (2) ANY OTHER PROVISION NECESSARY TO CARRY OUT THE PROPERTY
15 TAX CREDIT UNDER SUBSECTION (A) OF THIS SECTION.

16 SECTION 2. AND BE IT FURTHER ENACTED, That the regulations required
17 by this Act shall be adopted not later than October 1, 1997.

18 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
19 October 1, 1996.