

BY: Economic and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL NO. 491

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after “incomplete;” insert “requiring the Department to cease processing a refuse disposal permit application until certain requirements are met;”; and in line 11, after “(g)” insert “, 9-210,”.

AMENDMENT NO. 2

On page 2, after line 27, insert:

“9-210.

(a) [The] SUBJECT TO THE PROVISIONS OF SUBSECTION (B) OF THIS SECTION, THE Secretary may not issue a permit to install, materially alter, or materially extend a refuse disposal system regulated under § 9-204(a) of this subtitle until the requirements set forth in this subsection are met in the following sequence:

(1) Except for the opportunity for a public informational meeting, the Department has completed its preliminary phase 1 technical review of the proposed refuse disposal system;

(2) The Department has reported the findings of its preliminary phase 1 technical review, in writing, to the county's chief elected official and planning commission of the county where the proposed refuse disposal system is to be located; and

(3) The county has completed its review of the proposed refuse disposal system, and has provided to the Department a written statement that the refuse disposal system:

(i) Meets all applicable county zoning and land use requirements; and

(Over)

(ii) Is in conformity with the county solid waste plan.

(B) UPON COMPLETION OF THE REQUIREMENTS OF SUBSECTION (A)(1) AND (2) OF THIS SECTION, THE DEPARTMENT SHALL CEASE PROCESSING THE PERMIT APPLICATION UNTIL THE REQUIREMENTS OF SUBSECTION (A)(3) OF THIS SECTION ARE MET.

[(b)] (C) (1) The Secretary may not issue a permit for a rubble landfill under § 9-204(a) of this subtitle unless the county in which the rubble landfill is located has specified the types of waste that may be disposed of in that rubble landfill in its county solid waste management plan under Subtitle 5 of this title.

(2) The types of waste that a county may allow to be disposed of in a rubble landfill under this section include:

(i) Trees;

(ii) Land clearing debris that is not a controlled hazardous substance as defined in Title 7, Subtitle 2 of this article;

(iii) Demolition debris that is not a controlled hazardous substance as defined in Title 7, Subtitle 2 of this article; and

(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 rubble landfill 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:

(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

2. The owner or operator of the landfill retains a record that clearly delineates where the asbestos has been deposited;

(ii) White goods; and

(iii) Subject to § 9-228(f) of this subtitle, scrap tires.”.