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By: **Delegates Guns, Schisler, Walkup, and Bozman**  
Introduced and read first time: February 13, 1998  
Assigned to: Environmental Matters

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A BILL ENTITLED

1 AN ACT concerning

2 **Refuse Disposal - Permit Applications - Departmental Processing**

3 FOR the purpose of prohibiting the Department of the Environment from processing  
4 a refuse disposal permit until certain requirements are met; and generally  
5 relating to the processing of refuse disposal permit applications.

6 BY repealing and reenacting, with amendments,  
7 Article - Environment  
8 Section 9-210  
9 Annotated Code of Maryland  
10 (1996 Replacement Volume and 1997 Supplement)

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

13 **Article - Environment**

14 9-210.

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

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

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

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

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

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

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

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

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

14 (i) Trees;

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

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

19 (iv) Construction debris that is not a controlled hazardous  
20 substance as defined in Title 7, Subtitle 2 of this article.

21 (3) The following types of waste may be disposed of in a rubble landfill  
22 subject to the regulations adopted under this subtitle if the disposal of these wastes is  
23 expressly approved by the county in its county solid waste management plan:

24 (i) Asbestos, if:

25 1. The asbestos is wet or otherwise in accordance with  
26 federal national emission standards for hazardous air pollution when delivered to the  
27 landfill; and

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

30 (ii) White goods; and

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

32 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
33 October 1, 1998.