
By: **Senators Neall, Middlebrooks, Jimeno, and Astle**
Introduced and read first time: February 6, 1998
Assigned to: Economic and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Solid Waste - Applications and Planning**

3 FOR the purpose of requiring an applicant for a refuse disposal system to include in
4 the application a certain statement from the county governing body; prohibiting
5 the Secretary of the Environment from accepting certain applications if
6 incomplete; allowing the county governing body to take certain actions
7 concerning a county solid waste plan and amendments; and generally relating to
8 solid waste management.

9 BY repealing and reenacting, with amendments,
10 Article - Environment
11 Section 9-204(e) and (g) and 9-503
12 Annotated Code of Maryland
13 (1996 Replacement Volume and 1997 Supplement)

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

16 **Article - Environment**

17 9-204.

18 (e) An applicant for a permit shall:

19 (1) Submit to the Secretary an application that contains:

20 (i) The complete plans and specifications for the installation,
21 alteration, or extension of the water supply system, sewerage system, or refuse
22 disposal system;

23 (ii) For any application related to any solid waste acceptance
24 facility in the areas of Baltimore City designated by the United States Post Office as
25 zip code numbers 21225, 21226, and 21230, a groundwater and surface water impact
26 analysis prepared at the expense of the applicant regarding the proposed installation,
27 alteration, or extension;

1 (III) FOR A REFUSE DISPOSAL SYSTEM, A STATEMENT, FROM THE
2 COUNTY WHERE THE REFUSE DISPOSAL SYSTEM IS TO BE LOCATED, THAT THE
3 REFUSE DISPOSAL SYSTEM:

4 1. MEETS ALL APPLICABLE COUNTY ZONING AND LAND USE
5 REQUIREMENTS; AND

6 2. IS IN CONFORMITY WITH THE COUNTY SOLID WASTE
7 PLAN; and

8 [(iii)] (IV) Any other information that the Secretary requires;

9 (2) Submit to the Secretary any material change in the plans and
10 specifications, with the reason for the change; and

11 (3) Pay the permit fee set by the Department.

12 (g) (1) When a person applies for a permit and pays the fee under this
13 section, the Secretary shall:

14 (i) Examine the application without delay; and

15 (ii) 1. Approve the application and issue the permit;

16 2. Disapprove the application; or

17 3. State the conditions under which the Secretary would
18 approve the application.

19 (2) The Secretary shall act within 30 working days after receiving an
20 application and payment of fee for a permit under this section for a water distribution
21 line or a sewage collection line.

22 (3) If the Secretary does not act within the time set by paragraph (2) of
23 this subsection:

24 (i) The application is approved automatically; and

25 (ii) The Secretary shall issue a permit for the work.

26 (4) THE SECRETARY MAY NOT ACCEPT AN INCOMPLETE APPLICATION
27 FOR A PERMIT.

28 9-503.

29 (a) Each county shall have a county plan or a plan with adjoining counties
30 that:

31 (1) Is approved by the Department;

1 (2) Covers at least the 10-year period next following adoption by the
2 county governing body; and

3 (3) Deals with:

4 (i) Water supply systems;

5 (ii) Sewerage systems;

6 (iii) Solid waste disposal systems;

7 (iv) Solid waste acceptance facilities; and

8 (v) The systematic collection and disposal of solid waste, including
9 litter.

10 (b) Except as provided in § 9-515 of this subtitle, each county governing body
11 shall review its county plan at least once every 3 years in accordance with a schedule
12 set by the Department.

13 (c) Each county governing body shall adopt and submit to the Department a
14 revision or amendment to its county plan if:

15 (1) The governing body considers a revision or amendment necessary; or

16 (2) The Department requires a revision or amendment.

17 (d) (1) Before a county governing body adopts any revision or amendment to
18 its county plan or adopts a new county plan, the governing body shall:

19 (i) Conduct a public hearing on the county plan, revision, or
20 amendment that may be conducted jointly with other public hearings or meetings;
21 and

22 (ii) Give the principal elected official of each municipal corporation
23 that is affected notice of the county plan, revision, or amendment at least 14 days
24 before the hearing.

25 (2) (i) Notice of the time and place of the public hearing, together with
26 a summary of the plan, revision, or amendment, shall be published in at least 1
27 newspaper of general circulation in the county once each week for 2 successive weeks,
28 with the first publication of notice appearing at least 14 days before the hearing.

29 (ii) Notice of the public hearing may be a part of the general notice
30 listing all other items to be considered during the public hearing or meeting.

31 (E) AFTER THE PUBLIC HEARING, THE COUNTY GOVERNING BODY:

32 (1) SHALL REVIEW THE COUNTY PLAN;

1 (2) MAY AMEND THE COUNTY PLAN AS THE COUNTY GOVERNING BODY
2 CONSIDERS NECESSARY; AND

3 (3) SHALL ADOPT THE COUNTY PLAN OR THE AMENDMENT TO THE
4 COUNTY PLAN.

5 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
6 July 1, 1998.