

HOUSE BILL 756

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1999 Regular Session
9r1581
CF 9r2061

By: **Delegates W. Baker, Walkup, D'Amato, and Guns**

Introduced and read first time: February 12, 1999

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Dredge Spoil - Open Water Dumping - Prohibition**

3 FOR the purpose of altering a certain definition to alter the restriction on certain
4 open water dumping of material excavated from the Chesapeake Bay or its tidal
5 tributaries; and generally relating to the dumping or deposition of dredge spoil
6 in the Chesapeake Bay.

7 BY repealing and reenacting, with amendments,
8 Article - Environment
9 Section 5-1101(a)
10 Annotated Code of Maryland
11 (1996 Replacement Volume and 1998 Supplement)

12 BY repealing and reenacting, without amendments,
13 Article - Environment
14 Section 5-1102
15 Annotated Code of Maryland
16 (1996 Replacement Volume and 1998 Supplement)

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

19 **Article - Environment**

20 5-1101.

21 (a) In this subtitle the following words have the meanings indicated.

22 (1) "Spoil" means earth, rock, soil, waste matter, muck, or other material
23 excavated or dredged from Baltimore Harbor and approach channels.

24 (2) "Baltimore County tributary spoil" means earth, rock, soil, waste
25 matter, muck, or other materials excavated or dredged from an approved dredging
26 project in any of the Baltimore County tributaries of the Chesapeake Bay.

1 (3) "Redeposit" means to dump, scatter, pour, or otherwise deposit spoil
2 or, if made applicable by the provisions of this subtitle or Title 5 of the Natural
3 Resources Article, Baltimore County tributary spoil in a confined manner.

4 (4) "Baltimore Harbor" means the waterway which consists of the tidal
5 portions of Patapsco River and its tributaries lying westward of a line extending from
6 Rock Point in Anne Arundel County to North Point in Baltimore County.

7 (5) (i) "Sewage sludge" means the accumulated semiliquid suspension
8 of settled solids, or dried residue of these solids, that is deposited from sewage in
9 wastewater treatment plant tanks or basins.

10 (ii) "Sewage sludge" includes raw untreated sewage disposed from
11 the Back River Sewage Treatment Plant.

12 (6) "Deep trough" means any region that:

13 (i) Is south of [the Chesapeake Bay Bridge] A LINE EXTENDING
14 WESTERLY FROM LOVE POINT and north of a line extending westerly from Bloody
15 Point; and

16 (ii) Has a depth that exceeds [60] 30 feet.

17 5-1102.

18 (a) A person may not dump, deposit, or scatter in an unconfined manner spoil
19 from Baltimore Harbor into or onto any portion of the water or bottomland of the
20 Chesapeake Bay or of the tidewater portions of any of the Chesapeake Bay's
21 tributaries outside of Baltimore Harbor. However, the spoil may be redeposited in
22 contained areas approved by the Department.

23 (b) A person may not dump, deposit, or scatter in an unconfined manner
24 Baltimore County tributary spoil into or onto any portion of the water or bottomland
25 of the Chesapeake Bay or of the tidewater portions of any of the Chesapeake Bay's
26 tributaries within 5 miles of the Hart-Miller-Pleasure Island chain in Baltimore
27 County.

28 (c) A person may not dump, deposit, scatter, or release sewage sludge by any
29 means, including discharge from a sewer or pipe, into or onto any portion of the water
30 or bottomland of the Chesapeake Bay or of the tidewater portions of any of the
31 Chesapeake Bay's tributaries within 5 miles of the Hart-Miller-Pleasure Island
32 chain in Baltimore County.

33 (d) A person may not dump, deposit, or scatter any earth, rock, soil, waste
34 matter, muck, or other material excavated or dredged from the Chesapeake Bay or its
35 tidal tributaries into or onto the area of the bottomlands or waters of the Chesapeake
36 Bay known as the deep trough.

37 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
38 July 1, 1999.

