
By: **Senators Van Hollen, Frosh, Sfikas, and Pinsky**
Introduced and read first time: February 5, 1999
Assigned to: Economic and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Environment - Regulation of Poultry Processing Waste**

3 FOR the purpose of requiring the Department of the Environment to make certain
4 considerations before adopting certain regulations that relate to poultry
5 processing waste; expanding a certain remedy; altering certain definitions; and
6 generally relating to the regulation of poultry processing waste.

7 BY repealing and reenacting, with amendments,
8 Article - Environment
9 Section 9-201(k), (l), (m), and (o), 9-230(c), and 9-248
10 Annotated Code of Maryland
11 (1996 Replacement Volume and 1998 Supplement)

12 BY repealing and reenacting, without amendments,
13 Article - Environment
14 Section 9-230(b)
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 9-201.

21 (k) "Sewage" means:

22 (1) Any human or animal excretion or water-carried domestic waste;

23 [or]

24 (2) A mixture of industrial waste and any of the things in item (1) of this
25 subsection; OR

26 (3) ANY WASTE GENERATED FROM THE PROCESSING OF POULTRY.

1 (l) "Sewage sludge" means any thickened liquid, suspension, settled solid, or
2 dried residue that a sewage treatment plant OR POULTRY PROCESSING PLANT
3 extracts from sewage.

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

7 (2) "Sewage sludge generator" includes:

8 (i) The Washington Suburban Sanitary Commission; [and]

9 (ii) The Maryland Environmental Service; AND

10 (III) A POULTRY PROCESSING PLANT.

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

13 (n) (1) "Sewage sludge utilizer" means a person who utilizes sewage sludge
14 in this State.

15 (2) "Sewage sludge utilizer" includes:

16 (i) The Washington Suburban Sanitary Commission; [and]

17 (ii) The Maryland Environmental Service; AND

18 (III) A POULTRY PROCESSING PLANT.

19 9-230.

20 (b) In adopting regulations under this Part III and §§ 9-269 and 9-270 of this
21 subtitle, the Department of the Environment shall consider:

22 (1) Alternative utilization methods;

23 (2) Pathogen control;

24 (3) Advertising requirements for public hearings and public information
25 meetings;

26 (4) Performance bonds, liability insurance, or other forms of security;

27 (5) Procedures for notifying units of local government and other
28 interested parties; and

29 (6) Adequate standards for transporting sewage sludge, including
30 requirements for enclosing or covering sewage sludge during transportation.

1 (c) In addition to the considerations under subsection (b) of this section, in
2 adopting regulations for the land application of sewage sludge, the Department of the
3 Environment shall consider:

4 (1) Methods for calculating loading rates that:

5 (i) Will assure nondegradation of the groundwater supply; and

6 (ii) For agricultural land, shall be limited by the nutrient
7 requirements of crop or cover vegetation, as recommended by the Department of
8 Agriculture;

9 (2) The crops that are to be grown on land on which sewage sludge may
10 be applied;

11 (3) The nature of any nearby surface water or groundwater;

12 (4) The character of any affected area;

13 (5) The character of nearby existing or planned land uses and transport
14 routes;

15 (6) The nearness of the land on which sewage sludge may be applied to
16 sensitive areas, including flood plains, wetlands, and areas of critical concern;

17 (7) The definitions of:

18 (i) Sewage sludge that is unsuitable for application to agricultural
19 land;

20 (ii) Agricultural land;

21 (iii) Marginal land; and

22 (iv) Compost;

23 (8) Acceptable cumulative loading rates, including rates for nitrogen and
24 heavy metals;

25 (9) Special requirements of land used for producing tobacco; and

26 (10) Reasonable buffer areas to separate any home or other property from
27 land on which sewage sludge may be applied.

28 9-248.

29 In addition to any other remedy authorized under this subtitle, the Department
30 may bring an action to enjoin the violation of any law, regulation, or order concerning
31 the utilization of sewage sludge under this Part III, § 9-269, or § 9-270 of this
32 subtitle.

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