

HOUSE BILL 68

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HB 756/99 - ENV

2000 Regular Session
0lr0813

(PRE-FILED)

By: ~~Delegate~~ Delegates W. Baker, Walkup, Cryor, Stern, Boutin, Frush, Schisler, Owings, Oaks, Stull, Elliott, Guns, Hurson, Hubbard, Sher, and Cane Cane, Cadden, and D'Amato

Requested: November 4, 1999
Introduced and read first time: January 12, 2000
Assigned to: Environmental Matters

Committee Report: Favorable with amendments
House action: Adopted with floor amendments
Read second time: March 22, 2000

CHAPTER _____

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 prohibiting a person from dumping, depositing, or scattering certain~~
6 ~~material excavated or dredged from certain areas of the Chesapeake Bay into or~~
7 ~~onto the area known as Site 104 before a certain date; and generally relating to~~
8 ~~the dumping or deposition of dredge spoil in the Chesapeake Bay.~~

9 ~~BY repealing and reenacting, with amendments,~~
10 ~~Article - Environment~~
11 ~~Section 5-1101(a)~~
12 ~~Annotated Code of Maryland~~
13 ~~(1996 Replacement Volume and 1999 Supplement)~~

14 BY repealing and reenacting, ~~without~~ with amendments,
15 Article - Environment
16 Section 5-1102
17 Annotated Code of Maryland
18 (1996 Replacement Volume and 1999 Supplement)

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

1 **Article - Environment**2 ~~5-1101.~~3 (a) ~~In this subtitle the following words have the meanings indicated.~~4 (1) ~~"Spoil" means earth, rock, soil, waste matter, muck, or other material~~
5 ~~excavated or dredged from Baltimore Harbor and approach channels.~~6 (2) ~~"Baltimore County tributary spoil" means earth, rock, soil, waste~~
7 ~~matter, muck, or other materials excavated or dredged from an approved dredging~~
8 ~~project in any of the Baltimore County tributaries of the Chesapeake Bay.~~9 (3) ~~"Redeposit" means to dump, scatter, pour, or otherwise deposit spoil~~
10 ~~or, if made applicable by the provisions of this subtitle or Title 5 of the Natural~~
11 ~~Resources Article, Baltimore County tributary spoil in a confined manner.~~12 (4) ~~"Baltimore Harbor" means the waterway which consists of the tidal~~
13 ~~portions of Patapsco River and its tributaries lying westward of a line extending from~~
14 ~~Rock Point in Anne Arundel County to North Point in Baltimore County.~~15 (5) (i) ~~"Sewage sludge" means the accumulated semiliquid suspension~~
16 ~~of settled solids, or dried residue of these solids, that is deposited from sewage in~~
17 ~~wastewater treatment plant tanks or basins.~~18 (ii) ~~"Sewage sludge" includes raw untreated sewage disposed from~~
19 ~~the Back River Sewage Treatment Plant.~~20 (6) ~~"Deep trough" means any region that:~~21 (i) ~~Is south of [the Chesapeake Bay Bridge] A LINE EXTENDING~~
22 ~~WESTERLY FROM LOVE POINT and north of a line extending westerly from Bloody~~
23 ~~Point; and~~24 (ii) ~~Has a depth that exceeds [60] 30 feet.~~25 ~~5-1102.~~26 (a) A person may not dump, deposit, or scatter in an unconfined manner spoil
27 from Baltimore Harbor into or onto any portion of the water or bottomland of the
28 Chesapeake Bay or of the tidewater portions of any of the Chesapeake Bay's
29 tributaries outside of Baltimore Harbor. However, the spoil may be redeposited in
30 contained areas approved by the Department.31 (b) A person may not dump, deposit, or scatter in an unconfined manner
32 Baltimore County tributary spoil into or onto any portion of the water or bottomland
33 of the Chesapeake Bay or of the tidewater portions of any of the Chesapeake Bay's
34 tributaries within 5 miles of the Hart-Miller-Pleasure Island chain in Baltimore
35 County.

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

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

10 (E) BEFORE JUNE 1, 2001, A PERSON MAY NOT DUMP, DEPOSIT, OR SCATTER
11 ANY EARTH, ROCK, SOIL, WASTE MATTER, MUCK, OR OTHER MATERIAL EXCAVATED
12 FROM THE CHESAPEAKE BAY OR ITS TIDAL TRIBUTARIES INTO OR ONTO THE AREA
13 OF THE BOTTOMLANDS OR WATERS OF THE CHESAPEAKE BAY KNOWN AS SITE 104.

14 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
15 July 1, 2000.