

HOUSE BILL 72

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HB 662/00 - ENV

2001 Regular Session
11r0345

(PRE-FILED)

By: **Delegates Hutchins, Stocksdales, Stull, Kittleman, La Vay, Schisler,
O'Donnell, Leopold, Greenip, and Brinkley**

Requested: July 27, 2000

Introduced and read first time: January 10, 2001

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Chesapeake Bay - Dredged Material Management**

3 FOR the purpose of altering a certain definition to include a certain location and
4 prohibit certain dumping of certain material in a certain location; and generally
5 relating to the Chesapeake Bay and dredged material management.

6 BY repealing and reenacting, with amendments,
7 Article - Environment
8 Section 5-1101
9 Annotated Code of Maryland
10 (1996 Replacement Volume and 2000 Supplement)

11 BY repealing and reenacting, without amendments,
12 Article - Environment
13 Section 5-1102(d)
14 Annotated Code of Maryland
15 (1996 Replacement Volume and 2000 Supplement)

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

18 **Article - Environment**

19 5-1101.

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

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

23 (2) "Baltimore County tributary spoil" means earth, rock, soil, waste
24 matter, muck, or other materials excavated or dredged from an approved dredging
25 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) 1. Is south of the Chesapeake Bay Bridge and north of a line
14 extending westerly from Bloody Point; and

15 [(ii)] 2. Has a depth that exceeds 60 feet[.]; OR

16 (II) IS WITHIN THE AREA OF THE CHESAPEAKE BAY KNOWN AS
17 SITE 104.

18 (b) The General Assembly declares that the Chesapeake Bay and the
19 tidewater portions of its tributaries are a great natural asset and resource to the
20 State and its counties. Portions of these areas are threatened with inundation by the
21 unconfined dumping of vast quantities of spoil from dredging operations within
22 Baltimore Harbor and certain dumpings of sewage sludge. This inundation and
23 unconfined dumping will pollute and despoil valuable portions of the bottomland in
24 the Chesapeake Bay and its tidewater tributaries and be grossly harmful to fish and
25 marine life in these and adjacent waters, to use for recreation, and to the economic
26 and social life of the people of this State.

27 5-1102.

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

32 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
33 July 1, 2001.