

SENATE BILL 121

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2001 Regular Session
11r0710

By: **Senator Green**

Introduced and read first time: January 16, 2001

Assigned to: Economic and Environmental Affairs

Committee Report: Favorable

Senate action: Adopted

Read second time: February 13, 2001

CHAPTER_____

1 AN ACT concerning

2 **Transfer Stations - Solid Waste Plans - Permits**

3 FOR the purpose of prohibiting the Secretary of the Environment from issuing a
4 permit for a transfer station before the county in which the transfer station is
5 proposed has amended a certain plan in a certain manner and has held a certain
6 hearing by a certain time; and generally relating to the process for issuing a
7 permit for a transfer station.

8 BY repealing and reenacting, with amendments,
9 Article - Environment
10 Section 9-210
11 Annotated Code of Maryland
12 (1996 Replacement Volume and 2000 Supplement)

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

15 **Article - Environment**

16 9-210.

17 (a) Subject to the provisions of subsection (b) of this section, the Secretary may
18 not issue a permit to install, materially alter, or materially extend a refuse disposal
19 system regulated under § 9-204(a) of this subtitle until the requirements set forth in
20 this subsection are met in the following sequence:

1 (1) Except for the opportunity for a public informational meeting, the
2 Department has completed its preliminary phase 1 technical review of the proposed
3 refuse disposal system;

4 (2) The Department has reported the findings of its preliminary phase 1
5 technical review, in writing, to the county's chief elected official and planning
6 commission of the county where the proposed refuse disposal system is to be located;
7 [and]

8 (3) The county has completed its review of the proposed refuse disposal
9 system, and has provided to the Department a written statement that the refuse
10 disposal system:

11 (i) Meets all applicable county zoning and land use requirements;
12 and

13 (ii) Is in conformity with the county solid waste plan; AND

14 (4) FOR AN APPLICATION FOR A PERMIT FOR A TRANSFER STATION, THE
15 COUNTY HAS:

16 (I) AMENDED ITS SOLID WASTE PLAN TO INCLUDE THE TRANSFER
17 STATION; AND

18 (II) HELD A HEARING ON THE AMENDMENT TO INCLUDE THE
19 TRANSFER STATION IN ITS SOLID WASTE PLAN DURING THE 12 MONTHS BEFORE THE
20 PERMIT APPLICATION IS FILED.

21 (b) Upon completion of the requirements of subsection (a)(1) and (2) of this
22 section, the Department shall cease processing the permit application until the
23 requirements of subsection (a)(3) AND, FOR A TRANSFER STATION, SUBSECTION (A)(4)
24 of this section are met.

25 (c) (1) The Secretary may not issue a permit for a rubble landfill under §
26 9-204(a) of this subtitle unless the county in which the rubble landfill is located has
27 specified the types of waste that may be disposed of in that rubble landfill in its
28 county solid waste management plan under Subtitle 5 of this title.

29 (2) The types of waste that a county may allow to be disposed of in a
30 rubble landfill under this section include:

31 (i) Trees;

32 (ii) Land clearing debris that is not a controlled hazardous
33 substance as defined in Title 7, Subtitle 2 of this article;

34 (iii) Demolition debris that is not a controlled hazardous substance
35 as defined in Title 7, Subtitle 2 of this article; and

1 (iv) Construction debris that is not a controlled hazardous
2 substance as defined in Title 7, Subtitle 2 of this article.

3 (3) The following types of waste may be disposed of in a rubble landfill
4 subject to the regulations adopted under this subtitle if the disposal of these wastes is
5 expressly approved by the county in its county solid waste management plan:

6 (i) Asbestos, if:

7 1. The asbestos is wet or otherwise in accordance with
8 federal national emission standards for hazardous air pollution when delivered to the
9 landfill; and

10 2. The owner or operator of the landfill retains a record that
11 clearly delineates where the asbestos has been deposited;

12 (ii) White goods; and

13 (iii) Subject to § 9-228(f) of this subtitle, scrap tires.

14 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
15 October 1, 2001.