

Department of Legislative Services  
Maryland General Assembly  
2001 Session

FISCAL NOTE  
Revised

Senate Bill 8 (Senator Green, *et al.*)

Economic and Environmental Affairs

Environmental Matters

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Waste Transfer Stations - Distance from University

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This bill prohibits the Secretary of the Environment from issuing any permit to construct or operate a transfer station for the disposal of solid waste within two miles of Bowie State University. The bill also prohibits a person from constructing or operating a transfer station for the disposal of solid waste within two miles of Bowie State University. The bill does not apply to the operation, construction, reconstruction, replacement, expansion or material alteration or extension of a transfer station that was operating on January 1, 2000. The bill does not prohibit the issuance of a permit that is necessary for the operation, construction, reconstruction, replacement, expansion, or material alteration or extension of a transfer station that was operating on January 1, 2000.

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Fiscal Summary

**State Effect:** The bill does not materially affect State operations or finances. While the Maryland Department of Environment (MDE) issues permits for transfer stations, local jurisdictions are responsible for the siting of such facilities.

**Local Effect:** Meaningful increase in expenditures and decreases in revenues for Prince George's County. **This bill imposes a mandate on a unit of local government.**

**Small Business Effect:** Potential meaningful.

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## **Analysis**

**Current Law:** A person must have a permit issued by MDE before the person installs, materially alters, or materially extends a “refuse disposal system.” The term refuse disposal system includes an incinerator, a transfer station, a landfill system, a landfill, a solid waste processing facility, and any other solid waste acceptance facility.

The Secretary of Environment may not issue a permit to install, materially alter, or materially extend a refuse disposal system until: (1) it has completed its technical review; (2) it has reported the findings of the review to the affected county; and (3) the county has completed its review of the proposed refuse disposal system and has provided to MDE a written statement that it meets all applicable county zoning and land use requirements and is in conformity with the county solid waste plan.

The Secretary may not issue any permit to construct or operate a municipal waste incinerator for disposal of a solid waste stream within one mile of a public or private elementary or secondary school. A person may not construct or operate a municipal waste incinerator for disposal of a solid waste stream within one mile of a public or private elementary or secondary school.

**Background:** A transfer station is defined by regulation as a place or facility where waste materials are taken from one collection vehicle (for example, compactor trucks) and placed in another transportation unit (for example, over-the-road tractor-trailers, railroad gondola cars, barges, or ships) for movement to other solid waste acceptance facilities. Recently, concern has been expressed regarding the location of certain proposed transfer stations.

**Local Fiscal Effect:** Prince George’s County amended its solid waste plan in 1998 to include a proposed transfer station near Bowie State University. The application for a transfer station was submitted to MDE in July 2000. This bill would prohibit the operation of the planned transfer station. Prince George’s County reports that for the proposed site, the county has spent approximately \$600,000 in siting costs. Costs to identify and acquire an alternative site are expected to be significant. The county also reports that the bill’s prohibition would result in an increase in expenditures of an estimated \$900,000 to accommodate additional waste at an existing landfill, as well as an increase in transportation costs. By overloading an existing landfill, the bill could shorten the operational life of the existing landfill by as much as three years resulting in the expedition of costs related to acquiring and developing an alternative site. Until an alternative is operational, the county also advises that the prohibition would result in a decrease in revenues of an estimated \$1 million annually related to solid waste transported to facilities in other jurisdictions or outside of the State.

Anne Arundel County advises that it currently does not have any plans to locate a transfer station in areas affected by the bill.

**Small Business Effect:** To the extent that the bill increases the cost of solid waste management in Prince George's County, small businesses using county landfills and resource recovery facilities could incur increased expenditures for transporting waste to those facilities.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Maryland Department of the Environment; Maryland Higher Education Commission; Maryland Independent College and University Association; Anne Arundel, Calvert, Caroline, Howard, Montgomery, and Prince George's counties; Baltimore City; Department of Legislative Services

**Fiscal Note History:** First Reader – March 21, 2001  
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