

Department of Legislative Services
Maryland General Assembly
2002 Session

FISCAL NOTE

House Bill 1055 (Delegate Zirkin)
Environmental Matters

Environment - Hazardous Materials Facilities - Risk Analysis

This bill requires a hazardous materials facility permit holder to file an annual report with the Maryland Department of the Environment (MDE). The report must include a risk analysis addressing the vulnerability of the facility to acts of sabotage or terrorism, recommendations to reduce risks, and an emergency preparedness plan for a worst case scenario. The report must be filed within a time set and on a form provided by MDE.

Fiscal Summary

State Effect: The bill would not affect State operations or finances because no hazardous materials facilities are permitted by MDE. Should any facilities become permitted in the future, general fund expenditures could increase for MDE to review the required reports. Any such increase is speculative and cannot be reliably estimated at this time.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law: With specified exceptions, a person must be permitted by MDE before the person may own, establish, operate, or maintain a hazardous materials facility in the State, which is defined as a facility that transfers (from one mode of transportation to another) quantities of a single hazardous material that meets or exceeds 100,000 pounds in weight at any time during a calendar year. A separate facility permit is required for each facility that a person owns, establishes, maintains, or operates. Each facility permit

holder must establish emergency procedures and safeguards to prevent accidents and reasonably foreseeable harm to human beings or the environment. Facility permit holders are required to report periodically to MDE on the hazardous material that is received and transferred by the facility.

While MDE has the authority to issue permits for and regulate hazardous materials facilities, there are no permitted facilities in the State.

State Expenditures: MDE advises that because it does not have a chemical or safety engineer on staff, if facilities do become permitted by MDE in the future, it may need to hire an engineer to review the reports required by the bill. Legislative Services advises that because the number of facilities that may become permitted by MDE cannot be predicted, a reliable estimate of the bill's future impact cannot be made at this time.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Maryland Department of the Environment, Department of Legislative Services

Fiscal Note History: First Reader - March 15, 2002
lc/jr

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