

**Department of Legislative Services**

Maryland General Assembly

2003 Session

**FISCAL AND POLICY NOTE**

**Revised**

House Bill 1047

(Delegate C. Davis)

Environmental Matters

Education, Health, and Environmental Affairs

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**Department of the Environment - Hazardous Waste Facilities - Public Comment**

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This bill requires the Hazardous Waste Facilities Siting Board in the Maryland Department of the Environment (MDE), at least 90 days prior to issuing a certificate of public necessity for a proposed hazardous waste facility site, to seek the comments of residents who live within one mile of the proposed site.

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**Fiscal Summary**

**State Effect:** None. MDE advises that the board has been inactive for several years. Because Maryland is a hazardous waste exporter, no applications for certificates of public necessity are anticipated in the near future.

**Local Effect:** The bill would not materially affect local operations or finances.

**Small Business Effect:** None.

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**Analysis**

**Current Law:** Each application for a certificate of public necessity submitted to the board must contain a report with specified information that will permit adequate consideration of the environmental, social, technical, and economic factors involved in the establishment and operation of the proposed facilities. The applicant must make the report available to affected subdivisions and to the public. At least 90 days prior to the issuance of a certificate, the board must seek the advice and comment of the Secretaries of Natural Resources, Environment, Business and Economic Development, Agriculture, and Planning, the Controlled Hazardous Substances Advisory Council, and the governing body of affected subdivisions. Also at least 90 days prior to the issuance of a certificate,

the board must seek the comments of each landowner of record whose property is within 1,000 feet of the proposed site.

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### **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 12, 2003  
ncs/jr Revised - House Third Reader - March 22, 2003

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Analysis by: Lesley Frymier

Direct Inquiries to:  
(410) 946-5510  
(301) 970-5510