

Department of Legislative Services
Maryland General Assembly
2006 Session

FISCAL AND POLICY NOTE

House Bill 1708

(Delegates Hubbard and Conroy)

Environmental Matters

Education, Health, and Environmental
Affairs

Environment - Oil and Other Unctuous Substances - Zoning and Land Use
Requirements

This bill prohibits a person (other than a vessel or barge) from engaging in any commercial or industrial operation involving specified activities relating to oil and other unctuous substances unless the person has submitted satisfactory evidence to the Maryland Department of the Environment (MDE) that the operation meets all applicable county zoning and land use requirements.

The bill takes effect June 1, 2006.

Fiscal Summary

State Effect: The bill's changes could be handled with existing budgeted resources. Assuming the bill does not result in a decrease in the number of oil-related permits/licenses issued by MDE, revenues would not be affected.

Local Effect: The bill's changes could be handled with existing resources.

Small Business Effect: Minimal, assuming affected entities already comply with applicable county zoning and land use requirements.

Analysis

Current Law: The Oil Control Program within MDE's Waste Management Administration regulates all oil-related activities, such as aboveground and underground

oil storage facilities, oil-contaminated soil treatment facilities, oil transportation, and remediation sites.

MDE is required to prescribe by rule or regulation approved methods, facilities, standards, and devices for transfer, storage, separating, removing, treating, transporting, or disposing of oil and other unctuous substances to prevent water pollution. A person other than a vessel or barge may not engage in any commercial or industrial operation involving these activities unless he has obtained a permit from MDE indicating that the activities are in conformity with the prescribed rules and regulations.

According to MDE, the term “unctuous substances” relates to oily substances, including oily sorbents, soils, sludges, etc.

Background: MDE advises that, in some cases, it has required evidence that proposed oil activities meet applicable county zoning and land use requirements. In addition, an oil operations permit issued by MDE states that the permit does not relieve the permittee from civil or criminal penalties for noncompliance with any local laws or regulations.

MDE advises that there are 1,546 active oil operations permits; this is one subset of oil-related activities that would be affected by the bill.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Maryland Department of the Environment, Caroline County, Howard County, Montgomery County, Prince George’s County, Baltimore City, Department of Legislative Services

Fiscal Note History: First Reader - March 17, 2006
ncs/ljm

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