

# SENATE BILL 1031

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By: **Senators Britt, Currie, Exum, Miller, Muse, Peters, Pinsky, and Rosapepe**  
Constitutional Requirements Complied with for Introduction in the last 35 Days of  
Session

Introduced and read first time: March 21, 2007

Rules suspended

Assigned to: Education, Health, and Environmental Affairs

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Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: April 2, 2007

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Environment – Landfills – Prohibition**

3 FOR the purpose of altering a prohibition against issuing a certain permit to construct  
4 or operate a landfill to include any new landfill in any location in Prince  
5 George's County that was not in operation on a certain date; expanding a  
6 certain prohibition against issuing a certain permit to construct or operate a  
7 landfill within a certain distance of certain areas in Queen Anne's County;  
8 repealing the termination date of certain provisions of law relating to landfills  
9 in the State; and generally relating to permits for landfills.

10 BY repealing and reenacting, without amendments,  
11 Article – Environment  
12 Section 9-204(a) and (d)  
13 Annotated Code of Maryland  
14 (1996 Replacement Volume and 2006 Supplement)

15 BY repealing and reenacting, with amendments,  
16 Article – Environment

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### EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



Section 9–204(m)  
Annotated Code of Maryland  
(1996 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,  
Chapter 228 of the Acts of the General Assembly of 2006  
Section 2

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

**Article – Environment**

9–204.

(a) This section applies to any water supply system, sewerage system, refuse disposal system that is for public use, or any refuse disposal system that is a solid waste acceptance facility as defined in § 9–501(n) of this title if the solid waste acceptance facility is installed, altered, or extended after July 1, 1988.

(d) A person shall have a permit issued by the Secretary under this section before the person installs, materially alters, or materially extends a water supply system, sewerage system, or refuse disposal system.

(m) The Secretary may not issue any permit under this section ~~to~~:

**(1) TO** construct or operate a [rubble] landfill within 4 miles of Unicorn Lake in Queen Anne’s County[, within 1 mile of the Piscataway Creek, a Piscataway Creek tributary, or the Mattawoman Creek, or within 1 mile of any other tributary in Prince George’s County that flows directly or indirectly into the Potomac River] ~~OR; OR~~

**(2) TO CONSTRUCT OR OPERATE A NEW LANDFILL IN ANY LOCATION IN PRINCE GEORGE’S COUNTY THAT WAS NOT IN OPERATION ON SEPTEMBER 30, 2007.**

**Chapter 228 of the Acts of 2006**

SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency measure, is necessary for the immediate preservation of the public health or safety, has been passed by a yea and nay vote supported by three-fifths of all the members elected to each of the two Houses of the General Assembly, and shall take effect from

1 the date it is enacted. [It shall remain effective through June 1, 2009, and, at the end  
2 of June 1, 2009, with no further action required by the General Assembly, this Act  
3 shall be abrogated and of no further force and effect.]

4 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
5 October 1, 2007.

Approved:

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Governor.

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President of the Senate.

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Speaker of the House of Delegates.