

Department of Legislative Services  
Maryland General Assembly  
2007 Session

FISCAL AND POLICY NOTE  
Revised

Senate Bill 553

(Senator Pipkin, *et al.*)

Education, Health, and Environmental Affairs

Environmental Matters

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Environment - Landfills - Termination Date

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This bill repeals the June 1, 2009 termination date of a provision that prohibits the Secretary of the Environment from issuing a permit to construct or operate a rubble landfill within four miles of Unicorn Lake in Queen Anne's County or within one mile of three specified creeks and/or tributaries or any other tributary in Prince George's County that flows directly or indirectly into the Potomac River. The bill also extends the prohibition to *all* landfills in those areas, not just *rubble landfills*. Finally, the bill requires the Maryland Department of the Environment (MDE) by January 1, 2008, to report to the General Assembly on appropriate methods to authorize a county to remove a proposed landfill from a county plan.

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Fiscal Summary

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

**Local Effect:** Although Prince George's and Queen Anne's counties report that the bill would not materially affect local operations or finances, the bill would effectively prohibit the operation or siting of landfills in certain areas of those counties. Accordingly, in the long run, the bill could impact the solid waste disposal capacity in affected areas. Queen Anne's County reports, however, that existing local landfill resources are adequate for the foreseeable future.

**Small Business Effect:** Potential meaningful.

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## Analysis

**Current Law:** A solid waste acceptance facility means any sanitary landfill, incinerator, transfer station, or plant whose primary purpose is to dispose of, treat, or process solid waste. Siting and other land use or zoning criteria for proposed solid waste acceptance facilities are the responsibility of local jurisdictions. Solid waste acceptance facilities are permitted by MDE. Applicants obtain local approvals prior to applying to MDE for a permit.

Chapter 228 of 2006 provides that MDE may not issue any permit to construct or operate a rubble landfill within four miles of Unicorn Lake in Queen Anne's County, within one mile of the Piscataway Creek, a Piscataway Creek tributary, or the Mattawoman Creek, or within one mile of any other tributary in Prince George's County that flows directly or indirectly into the Potomac River.

The provision terminates June 1, 2009.

**Background:** MDE reports that, at this time, the only active landfill permit application that would be affected by the bill is for a rubble landfill in northern Queen Anne's County.

**Small Business Effect:** According to MDE, there is only one active landfill permit application pending that could be affected by the bill's changes. MDE reports that the permit applicant is likely a small business. Under current law, MDE is prohibited from permitting that rubble landfill prior to 2009. Under the bill, the prohibition would become permanent. In addition, other businesses could be affected to the extent they are prohibited from siting a landfill in the affected areas as a result of the bill.

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## Additional Information

**Prior Introductions:** None.

**Cross File:** HB 363 (Queen Anne's County Delegation) – Environmental Matters.

**Information Source(s):** Maryland Department of the Environment, Prince George's County, Queen Anne's County, Department of Legislative Services

**Fiscal Note History:** First Reader - February 19, 2007  
ncs/ljm Revised - Senate Third Reader - March 23, 2007  
Revised - Enrolled Bill - May 7, 2007

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