

HOUSE BILL 388

M3

8lr0761

By: **Delegates McConkey and Holmes**

Introduced and read first time: January 28, 2008

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Environment – Pozzolan – Use and Disposal**

3 FOR the purpose of prohibiting certain uses of pozzolan, commonly known as “fly ash”;
4 requiring pozzolan to be disposed of in a certain regulated refuse disposal
5 system; and generally relating to the use and disposal of pozzolan.

6 BY repealing and reenacting, with amendments,
7 Article – Environment
8 Section 15–407
9 Annotated Code of Maryland
10 (2007 Replacement Volume and 2007 Supplement)

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

13 **Article – Environment**

14 15–407.

15 (a) In this section, “pozzolan” means the finely divided residue which results
16 from combustion of ground or powdered coal and is released by combustion gases, as
17 defined by the test methods published by the American Society for Testing Methods.

18 (b) (1) [Any person who uses pozzolan for landfill shall do so in a manner
19 which complies with sound engineering practices.

20 (2) Any] **A** person [who uses] **MAY NOT USE** pozzolan for landfill,
21 [structural building,] soil improvement, agriculture, soil conditioning, or land
22 reclamation [shall minimize dust and wind erosion and shall comply with all silt
23 control regulations and permit requirements of the Department].

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(2) POZZOLAN SHALL BE DISPOSED OF IN A REFUSE DISPOSAL**
2 **SYSTEM REGULATED UNDER §§ 9-204, 9-252, AND 9-314 OF THIS ARTICLE.**

3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
4 October 1, 2008.