

# HOUSE BILL 1305

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9lr2966

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By: **Delegate King**

Introduced and read first time: February 13, 2009

Assigned to: Environmental Matters and Economic Matters

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Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 25, 2009

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

1 AN ACT concerning

2 **Environment – Coal Combustion Byproducts – Department Regulations –**  
3 **Transport and Beneficial Use**

4 FOR the purpose of requiring the Department of the Environment to ~~adopt~~ submit  
5 certain regulations regarding coal combustion byproducts to the Joint  
6 Committee on Administrative, Executive, and Legislative Review by a certain  
7 date; defining certain terms; and generally relating to the regulation of coal  
8 combustion byproducts.

9 BY adding to  
10 Article – Environment  
11 Section 9–281 to be under the new part “Part VII. Coal Combustion Byproducts”  
12 Annotated Code of Maryland  
13 (2007 Replacement Volume and 2008 Supplement)

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

16 **Article – Environment**

17 **9–279. RESERVED.**

18 **9–280. RESERVED.**

19 **PART VII. COAL COMBUSTION BYPRODUCTS.**

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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.



1 **9-281.**

2 (A) (1) IN THIS SECTION, "COAL COMBUSTION BYPRODUCT" MEANS  
3 THE RESIDUE GENERATED BY OR RESULTING FROM THE BURNING OF COAL.

4 (2) "COAL COMBUSTION BYPRODUCT" INCLUDES:

5 (I) FLY ASH;

6 (II) BOTTOM ASH;

7 (III) BOILER SLAG;

8 (IV) POZZOLAN, AS DEFINED IN § 15-407 OF THIS ARTICLE;

9 AND

10 (V) SOLID RESIDUALS REMOVED BY AIR POLLUTION  
11 CONTROL DEVICES FROM THE FLUE GAS AND COMBUSTION CHAMBERS OF  
12 COAL-BURNING FURNACES AND BOILERS.

13 (B) ON OR BEFORE DECEMBER 31, 2009, THE DEPARTMENT SHALL  
14 ~~ADOPT~~ SUBMIT TO THE JOINT COMMITTEE ON ADMINISTRATIVE, EXECUTIVE,  
15 AND LEGISLATIVE REVIEW REGULATIONS REGARDING:

16 (1) ~~THE FUGITIVE AIR EMISSIONS FROM THE~~ TRANSPORTATION  
17 OF COAL COMBUSTION BYPRODUCTS IN THE STATE; AND

18 (2) THE PERMISSIBLE BENEFICIAL USES OF COAL COMBUSTION  
19 BYPRODUCTS IN THE STATE.

20 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
21 June 1, 2009.

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.