

# SENATE BILL 1009

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9lr3304

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By: **Senators Mooney and Frosh**

Introduced and read first time: February 27, 2009

Assigned to: Rules

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## A BILL ENTITLED

1 AN ACT concerning

2 **Environment – Incinerator Permits – Limitation on Issuance near National**  
3 **Parks**

4 FOR the purpose of prohibiting the Department of the Environment from issuing a  
5 permit to a person to construct, modify, operate, or use an incinerator in the  
6 State if the incinerator is or would be located within a certain distance of a park  
7 in the National Park System; and generally relating to the authority of the  
8 Department of the Environment to issue a permit to construct, modify, operate,  
9 or use an incinerator in the State.

10 BY repealing and reenacting, with amendments,  
11 Article – Environment  
12 Section 2–401  
13 Annotated Code of Maryland  
14 (2007 Replacement Volume and 2008 Supplement)

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

17 **Article – Environment**

18 2–401.

19 (A) Except as provided in § 2–402 of this subtitle, the Department may adopt  
20 regulations that require a permit or registration before a person constructs, modifies,  
21 operates, or uses a source that may cause or control emissions into the air.

22 (B) **THE DEPARTMENT MAY NOT ISSUE A PERMIT TO A PERSON TO**  
23 **CONSTRUCT, MODIFY, OPERATE, OR USE AN INCINERATOR IN THE STATE IF THE**  
24 **INCINERATOR IS OR WOULD BE LOCATED WITHIN 1 MILE OF A PARK IN THE**  
25 **NATIONAL PARK SYSTEM.**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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