

CHAPTER 717

(House Bill 1305)

AN ACT concerning

Environment – Coal Combustion Byproducts – Department Regulations – Transport and Beneficial Use

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

BY adding to

Article – Environment

Section 9–281 to be under the new part “Part VII. Coal Combustion Byproducts”

Annotated Code of Maryland

(2007 Replacement Volume and 2008 Supplement)

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

Article – Environment

9–279. RESERVED.

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PART VII. COAL COMBUSTION BYPRODUCTS.

9–281.

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

(2) “COAL COMBUSTION BYPRODUCT” INCLUDES:

(I) FLY ASH;

(II) BOTTOM ASH;

(III) BOILER SLAG;

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

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

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

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

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

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

Approved by the Governor, May 19, 2009.