

**HB0061/210516/1**

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 61  
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 8, after “facilities;” insert “requiring a certain permit for a certain sewage treatment works where anaerobic digestion takes place to include certain conditions relating to the anaerobic digester and related equipment and infrastructure; requiring the Department to impose certain conditions relating to anaerobic digestion on certain discharge permits; exempting an anaerobic digestion facility located on a farm from certain permit requirements under certain circumstances;”; in line 12, after “materials;” insert “requiring the Department to convene and consult with a certain workgroup in developing certain regulations; requiring the workgroup to include representatives of certain entities;”; in line 13, after “terms;” insert “making stylistic changes;”; and in line 17, after “9-101(j),” insert “9-204(d), 9-326(a).”

AMENDMENT NO. 2

On page 2, strike beginning with “**RETURNED**” in line 18 down through “**PRODUCT**” in line 19 and substitute “**RECYCLABLE MATERIALS AS DEFINED IN § 9-1701 OF THIS TITLE**”; in line 20, after “**MATERIALS**” insert “**AS DEFINED IN § 9-1701 OF THIS TITLE**”; in the same line, strike “**RETURNED**” and substitute “:”

**1. RETURNED**;

in line 22, after “**RECEIVED**” insert “;**OR**”

**2. OTHERWISE MANAGED IN ACCORDANCE WITH REGULATIONS ADOPTED UNDER § 9-1713 OF THIS TITLE**;

and in line 29, strike “**OR**”.

(Over)

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AMENDMENT NO. 3

On page 3, in line 2, after “TITLE” insert “;

(V) ORGANIC MATERIALS THAT ARE MANAGED IN ACCORDANCE WITH A SEWAGE SLUDGE UTILIZATION PERMIT ISSUED BY THE DEPARTMENT UNDER THIS TITLE; OR

(VI) ORGANIC MATERIALS THAT ARE MANAGED AT A PUBLICLY OWNED TREATMENT WORKS OR OTHER SEWAGE TREATMENT WORKS IN ACCORDANCE WITH A PERMIT ISSUED UNDER §§ 9-204 AND 9-324 OF THIS TITLE”;

after line 2, insert:

“9-204.

(d) (1) [A] SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, A person shall have a permit issued by the Secretary under this section before the person installs, materially alters, or materially extends a water supply system, sewerage system, or refuse disposal system.

(2) A PERMIT ISSUED UNDER THIS SUBSECTION FOR A PUBLICLY OWNED TREATMENT WORKS OR OTHER SEWAGE TREATMENT WORKS WHERE ANAEROBIC DIGESTION TAKES PLACE SHALL INCLUDE CONDITIONS SPECIFIC TO THE ANAEROBIC DIGESTER AND RELATED EQUIPMENT AND INFRASTRUCTURE THAT ARE CONSISTENT WITH THE REQUIREMENTS APPLICABLE TO ANAEROBIC DIGESTION FACILITIES ADOPTED BY THE DEPARTMENT BY REGULATION IN ACCORDANCE WITH § 9-1725 OF THIS TITLE.

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9-326.

(a) (1) The Department may make the issuance of a discharge permit contingent on any conditions the Department considers necessary to prevent violation of this subtitle.

(2) In [permits] A PERMIT for the discharge of pollutants from A publicly owned treatment works, the Department:

(i) May impose as conditions appropriate measures to establish and insure compliance by industrial users with any system of user charges required by State or federal law or by any rule, regulation, or guideline adopted under State or federal law; and

(ii) Shall impose as conditions requirements for the permit holder to provide information about new introductions of pollutants or substantial changes in the volume or character of pollutants being introduced into the treatment works.

**(3) IN A PERMIT FOR THE DISCHARGE OF POLLUTANTS FROM A PUBLICLY OWNED TREATMENT WORKS OR OTHER SEWAGE TREATMENT WORKS WHERE ANAEROBIC DIGESTION TAKES PLACE, THE DEPARTMENT SHALL IMPOSE AS CONDITIONS REQUIREMENTS FOR THE ANAEROBIC DIGESTION PROCESS THAT ARE CONSISTENT WITH THE REQUIREMENTS APPLICABLE TO ANAEROBIC DIGESTION FACILITIES ADOPTED BY THE DEPARTMENT BY REGULATION IN ACCORDANCE WITH § 9-1725 OF THIS TITLE.”;**

in lines 12 and 13, strike “A FACILITY THAT IS REQUIRED TO OBTAIN”; in lines 14 and 16, in each instance, after “A” insert “FACILITY THAT IS REQUIRED TO OBTAIN A”; in line 15, strike “OR”; and in line 17, after “TITLE” insert “; OR”

(Over)

(III) A PUBLICLY OWNED TREATMENT WORKS OR OTHER SEWAGE TREATMENT WORKS WHERE ANAEROBIC DIGESTION TAKES PLACE IN ACCORDANCE WITH A PERMIT ISSUED UNDER §§ 9-204 AND 9-324 OF THIS TITLE".

AMENDMENT NO. 4

On page 7, in line 17, strike "OR"; and in line 19, after "TITLE" insert ";

(V) A PUBLICLY OWNED TREATMENT WORKS OR OTHER SEWAGE TREATMENT WORKS WHERE ANAEROBIC DIGESTION TAKES PLACE IN ACCORDANCE WITH A PERMIT ISSUED UNDER §§ 9-204 AND 9-324 OF THIS TITLE;  
OR

(VI) A FACILITY THAT USES CLASS A SEWAGE SLUDGE AND IS SPECIFICALLY EXEMPTED FROM THE REQUIREMENT TO OBTAIN A SEWAGE SLUDGE UTILIZATION PERMIT UNDER REGULATIONS ADOPTED BY THE DEPARTMENT".

AMENDMENT NO. 5

On page 9, after line 16, insert:

“(3) AN ANAEROBIC DIGESTION FACILITY LOCATED ON A FARM SHALL BE EXEMPT FROM ANY REQUIREMENT TO OBTAIN A PERMIT OR APPROVAL UNDER THE REGULATIONS ADOPTED UNDER PARAGRAPH (1) OF THIS SUBSECTION, IF THE ANAEROBIC DIGESTION FACILITY COMPLIES WITH CONSERVATION PRACTICE STANDARD 366, ADOPTED BY THE UNITED STATES DEPARTMENT OF AGRICULTURE, NATURAL RESOURCES CONSERVATION SERVICE.

SECTION 2. AND BE IT FURTHER ENACTED, That:

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(a) In developing the regulations applicable to recycling facilities and anaerobic digestion facilities as required under this Act, the Department of the Environment shall convene and consult with a workgroup of affected stakeholders.

(b) The workgroup convened under subsection (a) of this section shall include representatives from:

(1) the Maryland Association of Counties;

(2) the Maryland-Delaware Solid Waste Association;

(3) the Maryland Environmental Service;

(4) the Northeast Maryland Waste Disposal Authority;

(5) the Maryland Recycling Network;

(6) businesses that will be directly impacted by the required regulations; and

(7) any other organization or entity, as determined by the Department.”;

and in line 17, strike “2.” and substitute “3.”.