

HOUSE BILL 1404

M3, L6

4r2902
CF 4r3399

By: **Delegates Ghrist, Arentz, Griffith, Hornberger, Jacobs, McComas, T. Morgan, and Rose**

Introduced and read first time: February 9, 2024

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Environment – Storage of Dissolved Air Flotation By-Products – Local**
3 **Authority**

4 FOR the purpose of authorizing a political subdivision to enact a certain local law or
5 ordinance regarding the storage of dissolved air flotation by-products; and generally
6 relating to the storage of dissolved air flotation by-products.

7 BY repealing and reenacting, without amendments,

8 Article – Environment

9 Section 9–201(a), (l), (n), and (t) and 9–233

10 Annotated Code of Maryland

11 (2014 Replacement Volume and 2023 Supplement)

12 BY repealing and reenacting, with amendments,

13 Article – Environment

14 Section 9–701

15 Annotated Code of Maryland

16 (2014 Replacement Volume and 2023 Supplement)

17 BY repealing

18 Article – Environment

19 Section 9–720

20 Annotated Code of Maryland

21 (2014 Replacement Volume and 2023 Supplement)

22 BY adding to

23 Article – Environment

24 Section 9–731 and 9–732 to be under the new part “Part IV. Regulation by Political
25 Subdivisions”

26 Annotated Code of Maryland

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(2014 Replacement Volume and 2023 Supplement)

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

Article – Environment

9–201.

(a) In this subtitle the following words have the meanings indicated.

(l) “Sewage sludge” means any thickened liquid, suspension, settled solid, or dried residue that a sewage treatment plant extracts from sewage.

(n) “Sewage sludge utilization permit” means a permit, issued by the Department, to utilize sewage sludge.

(t) “Utilize sewage sludge” means to collect, handle, burn, store, treat, or transport sewage sludge to or from a sewage sludge generator or utilizer in this State, to apply it to land, or to dispose of it.

9–233.

The Department may not issue a permit to install, materially alter, or materially extend a sewage sludge composting facility or a sewage sludge storage facility until:

(1) The sewage sludge composting facility or sewage sludge storage facility meets all zoning and land use requirements of the county where the sewage sludge composting or storage facility is to be located; and

(2) In the case of a sewage sludge composting facility, the Department has a written statement that the board of county commissioners or the county council of the county where the sewage sludge composting facility is to be located does not oppose the issuance of the permit.

9–701.

(a) In this subtitle the following words have the meanings indicated.

(b) “Municipal authority” means:

(1) The mayor and council of a municipality;

(2) The town commissioners of a municipality; or

(3) Any other governing body of a municipality.

1 (c) (1) "POLITICAL SUBDIVISION" MEANS ANY PUBLIC BODY OF THIS
2 STATE THAT OWNS OR OPERATES ANY WATER OR SEWERAGE SYSTEM, INCLUDING:

3 (I) A COUNTY;

4 (II) A COMMISSION;

5 (III) A DISTRICT; OR

6 (IV) A MUNICIPAL CORPORATION.

7 (2) "POLITICAL SUBDIVISION" DOES NOT INCLUDE THE
8 WASHINGTON SUBURBAN SANITARY COMMISSION.

9 (D) "System" means:

10 (1) A water supply system;

11 (2) A sewerage system;

12 (3) A drainage system; or

13 (4) A refuse disposal system.

14 [9-720.

15 In Part III of this subtitle, "political subdivision":

16 (1) Means any public body of this State that owns or operates any water or
17 sewerage system, including:

18 (i) A county;

19 (ii) A commission;

20 (iii) A district; or

21 (iv) A municipal corporation; and

22 (2) Does not include the Washington Suburban Sanitary Commission.]

23 9-729. RESERVED.

24 9-730. RESERVED.

1 **PART IV. REGULATION BY POLITICAL SUBDIVISIONS.**

2 **9-731.**

3 **(A) IN THIS PART THE FOLLOWING WORDS HAVE THE MEANINGS**
4 **INDICATED.**

5 **(B) “DISSOLVED AIR FLOTATION” MEANS A WASTEWATER TREATMENT**
6 **PROCESS THAT CLARIFIES AGRICULTURAL OR MUNICIPAL WASTEWATER BY:**

7 **(1) DISSOLVING AIR IN THE WASTEWATER THROUGH INCREASED**
8 **PRESSURE;**

9 **(2) RELEASING THE AIR AT ATMOSPHERIC PRESSURE IN A**
10 **FLOTATION TANK BASIN, CAUSING THE AIR TO ADHERE TO SUSPENDED MATTER IN**
11 **THE WASTEWATER AND FLOAT TO THE SURFACE; AND**

12 **(3) REMOVING THE SUSPENDED MATTER WITH A SKIMMING DEVICE.**

13 **(C) “DISSOLVED AIR FLOTATION BY-PRODUCTS” MEANS THE DRY**
14 **BIOSOLIDS PRODUCED FROM DISSOLVED AIR FLOTATION.**

15 **(D) “SEWAGE SLUDGE UTILIZATION PERMIT” HAS THE MEANING STATED IN**
16 **§ 9-201 OF THIS TITLE.**

17 **9-732.**

18 **IN ADDITION TO ANY REQUIREMENTS IMPOSED BY THE DEPARTMENT FOR A**
19 **SEWAGE SLUDGE UTILIZATION PERMIT, A POLITICAL SUBDIVISION MAY ENACT A**
20 **LOCAL LAW OR ORDINANCE REGARDING THE STORAGE OF DISSOLVED AIR**
21 **FLOTATION BY-PRODUCTS THAT IS EQUAL TO OR MORE STRINGENT THAN THE**
22 **PERMIT REQUIREMENTS FOR A SEWAGE SLUDGE UTILIZATION PERMIT.**

23 **SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect**
24 **October 1, 2024.**