A BILL ENTITLED

AN ORDINANCE concerning: 2020 Amendments to the Anne Arundel County Solid Waste Management Plan 2013

FOR the purpose of amending the Anne Arundel County Solid Waste Management Plan 2013; and generally relating to the Anne Arundel County Solid Waste Management Plan 2013.

SECTION 1. Be it enacted by the County Council of Anne Arundel County, Maryland, That the Anne Arundel County Solid Waste Management Plan 2013, as amended (the “Plan”) is hereby amended as follows:

1. On page 3-32 of the Plan, under “Section 3.4.3 Waste Transfer Stations”, strike:

   “Owner:  Curtis Creek Recovery Systems, Inc. (Co/ Ameriwaste)

   MDE Permit:  2008-WPT-0539

   Expiration:  12/22/2013”

and substitute:

   “Owner:  Waste Management, Inc.

   MDE Permit:  2018-WPT-0539

EXPLANATION:  Underlining indicates amendments to bill.

Strikeover indicates matter stricken from bill by amendment.
Expiration: 1/24/2024; 

and on the same page, in the second paragraph, beginning in the second line through the third line, strike “Curtis Creek Recovery Systems, Inc. (Co/ Ameriwaste, LLC)” and substitute “Waste Management, Inc.”.

2. On page 3-33 of the Plan, under “Section 3.4.4 Other Waste Acceptance Facilities”, strike:

“Dead Animal Incinerators

The only known privately owned and operated dead animal incinerator within the County is the West Arundel Crematory located at 1411 Annapolis Road, Odenton, Maryland 20707. The capacity is estimated at 100 pounds per hour.”

3. On page 3-33 of the Plan, under “Section 3.4.4 Other Waste Acceptance Facilities”, after the last paragraph insert:

“Special Medical Waste Processors

Biomedical Waste Services, Inc.

Owner: Biomedical Waste Services, Inc.

MDE Permit: 2016-WPT-0676

Biomedical Waste Services, Inc. ("BMWS") is a privately owned, special medical waste facility located at 7610 Energy Parkway, Curtis Bay, MD 21226.

BMWS’s operation involves the acceptance, processing and transfer of special medical waste. The processing component involves the use of an autoclave for the purpose of sterilization and compaction of the medical waste prior to transfer.”.

4. On page 3-34 of the Plan, after the second line, insert:

“3.4.5 Rubble Landfills

Tolson and Associates Rubble Landfill

Owner: Tolson and Associates, LLC

MDE Permit: 2019-WRF-0580

Expiration: December 9, 2024

Latitude/Longitude: 36.0336N/-76.7043W

Operating Status: Open
The Tolson and Associates Rubble Landfill ("Tolson") opened in December of 2016 and is privately owned by Tolson and Associates, LLC. The facility is located off MD 3 at the end of Capitol Raceway Road, Crofton, Maryland. Tolson is a modern constructed landfill, which includes a state-of-the-art liner system, leachate collection system, landfill gas and groundwater monitoring systems and is permitted by MDE Refuse Disposal Permit 2019-WRF-0580. The facility encompasses a 72.38 acre fill area on a 184.25 acre site operating an active landfill, recycling, natural wood waste, and yard waste processing and composting areas. The facility is also permitted as a Tier 1 yard waste composting facility under MDE General Composting Facility Permit 2018-GCF-0018.

The landfill facility includes a scale and scale house, maintenance and storage building, leachate storage tank, and mulching and composting area. Co-located with the landfill is a sand and gravel mining and processing operation which operates under separate permits issued by MDE and Anne Arundel County.

The facility is permitted to accept land clearing, construction and demolition debris and other waste material as allowed in the Facility’s Refuse Disposal Permit. No hazardous waste is accepted. Recovery, management and processing of recyclables including, but not limited to, natural wood waste (mulch), yard waste (compost), metals, concrete, and cardboard occurs at Tolson. In accordance with the goals and objectives of Anne Arundel County, Tolson may also utilize other technologies, processes and equipment to reduce, reuse and recycle acceptable solid waste. The service life of this facility extends well beyond the ten (10) year planning period.

5. On page 3-44 of the Plan, under “Section 3.7.2 Yard Waste Processing”, under the section entitled “County Yard Waste Processing Facility”, strike:

"Leaves and grasses are composted on-site and marketed under the name Anne’s Best Compost. Appendix B, Table 3-2 shows that approximately 2,800 tons of yard waste, on average (2011), is composted at the Landfill.”

and substitute:

"MDE issued a Tier 1 yard waste composting facility permit (MDE CF Permit: 2016-GCF-0013) to Anne Arundel County under state regulations (COMAR 26.04.11, Composting Facilities), which became effective July 2015. Additionally, the County expanded the size of its compost pad to 8.5 acres, tripling its capacity. Operation of the composting facility was contracted out to Harvest Mid-Atlantic, LLC in September 2018 under their CF Permit 2018-GCF-0020. In September 2019, MDE approved a permit modification to change the permit from Harvest Mid-Atlantic, LLC to WeCare Denali, LLC due to a change in ownership.”.

6. On page 3-45 of the Plan, under “Section 3.7.2 Yard Waste Processing”, strike:

"Top Soil Etc.

The Top Soil Etc. Facility is located at 7012 Fort Smallwood Road, Baltimore, MD,
21226. This privately owned and operated facility is approximately 10 acres in size, and can process approximately 20,000 tons per year of material. Along with yard waste, Top Soil Etc. also processes dirt, stone and rubble-type materials to create compost, mulch, top soil, and specialized soil blends, as well as a variety of stone products.

The County maintains a contract with Top Soil Etc. for yard waste management and processing services. Private contractors in the County also collect and transport yard waste to this Facility. This facility handles a portion of the County’s yard waste stream, which varies year-to-year.”.

7. On page 3-46 of the Plan, under “Section 3.7.2 Yard Waste Processing” after the second paragraph, insert:

“The Tolson & Associates, LLC

Owner: Tolson & Associates

MDE CF Permit: 2018-GCF-0018

Tolson & Associates is a privately owned, Tier 1 yard waste composting facility located at the end of Capital Raceway, Crofton, MD 21114. The operation involves the acceptance and processing of grass, leaves and brush into a marketable compost product.”.

8. On page 5-34 of the Plan, under “Section 5.14.1 Proposed Private Waste Processing Facilities”, strike:

“Currently, there is one (1) proposed private processing facility and transfer station with a permit application under review by the MDE. This facility is Biomedical Waste Services Inc. The proposed facility has not yet obtained its Refuse Disposal Permit.

Biomedical Waste Services, Inc.

Owner: Biomedical Waste Services, Inc.

MDE Permit: Permit Application Under Review by MDE

The proposed Biomedical Waste Services facility is planned to be sited at 7610 Energy Parkway, Baltimore, Maryland 21230, located within Anne Arundel County. The proposed operation involves the acceptance, processing and transfer of special medical waste. The processing component will involve the use of an autoclave for the purpose of sterilization and compaction of the medical waste prior to transfer.

The County’s Office of Planning and Zoning has reviewed Biomedical Waste Services Inc.’s proposed operation and determined that it is allowed in the Zoning Code as a permitted use in the W2-Industrial District.”
and substitute:

“Currently there are no proposed private waste processing facilities located in the
County.”.

Facilities”, strike:

“Currently, there are two (2) proposed private rubble landfills with permit
applications under review by the MDE. These facilities are the Tolson & Associates
Rubble Landfill and the Chesapeake Terrace Rubble Landfill. These proposed
facilities have been in the permitting process for several years, and MDE has not
yet rendered a decision on the issuance of Refuse Disposal Permits for either site.
Tolson & Associates and Chesapeake Terrace were included in the 2003 Plan
Update.”

and substitute:

“Currently, there is one (1) proposed private rubble landfill with a permit
application under review by the MDE. This facility is the Chesapeake Terrace
Rubble Landfill. The facility has been in the permitting process for several years,
and MDE has not yet rendered a decision on the issuance of a Refuse Disposal
Permit. Chesapeake Terrace was included in the 2003 Plan Update.”.

10. On page 5-35 of the Plan, strike:

“Tolson & Associates Rubble Landfill

Owner: Tolson & Associates, LLC (Capitol Raceway
Promotions, Inc., JM Land Development Company,
and Capitol Associates, LLC)

MDE Permit: Permit Application Under Review by MDE

The proposed Tolson & Associates Rubble Landfill is planned to be sited at the end
of Capitol Raceway Road, Crofton, in Anne Arundel County, Maryland. The
proposed rubble landfill is planned to be constructed adjacent to the closed
Cunningham Rubble Landfill. The proposed site is bounded to the northeast by
Four Season’s Estates, to the west by the Little Patuxent River, to the southeast by
Capitol Raceway Park and Evergreen Road, and to the north by the closed
Cunningham Rubble Landfill. The proposed rubble landfill consists of an
approximately 72-acre fill area on an approximate 184-acre site.

This facility’s rubble landfill permit application is currently under review by MDE.
If permitted, this facility would potentially provide an outlet for the recycling and/or
disposal of County-generated C&D Debris.”.
11. In Appendix D of the Plan, insert the "Office Building Recycling Program" attached hereto as Exhibit A; and

12. In Appendix D of the Plan, insert the "Office Building Recycling Locations" attached hereto as Exhibit B.

SECTION 2. And be it further enacted, That the Anne Arundel County Solid Waste Management Plan 2013, as amended by this Ordinance, is incorporated herein by reference as if fully set forth. A copy of the Anne Arundel County Solid Waste Management Plan 2013, as amended by this Ordinance, shall be permanently kept on file with the Administrative Officer to the County Council, the Office of Planning and Zoning, and the Department of Public Works.

SECTION 3. And be it further enacted, That this Ordinance shall take effect 45 days from the date it becomes law.

AMENDMENTS ADOPTED: May 26, 2020
READ AND PASSED this 15th day of June, 2020

By Order:

JoAnne Gray
Administrative Officer

PRESENTED to the County Executive for his approval this 16th day of June, 2020

JoAnne Gray
Administrative Officer

APPROVED AND ENACTED this 17th day of June, 2020

Steuart Pittman
County Executive

EFFECTIVE DATE: August 1, 2020

I HEREBY CERTIFY THAT THIS IS TRUE AND CORRECT COPY OF BILL NO. 9-20. THE ORIGINAL OF WHICH IS RETAINED IN THE FILES OF THE COUNTY COUNCIL.

JoAnne Gray
Administrative Officer
A. Background

In 2019, the Maryland General Assembly passed Senate Bill 370, *Environment-Recycling-Office Buildings* with an effective date of October 1, 2019. The law requires the collection and recycling of certain recyclable materials from buildings that have 150,000 square feet or greater of office space.

The Anne Arundel County (County) Department of Public Works’ (Department) Bureau of Waste Management Services (Bureau), working with state and local agencies, identified seventeen (17) office buildings located within Anne Arundel County that fall under the scope of the law. These are listed in Attachment 1, Office Building Recycling Program Inventory.

B. Office Building Recycling Program Requirements

Per Section 9-1714 of the Environment Article, *Annotated Code of Maryland*, each owner of the office building having 150,000 square feet or greater of office space must provide, by October 1, 2021, recycling receptacles for the collection and removal for further recycling of recyclable materials deposited into the recycling receptacles. The owners of the participating office buildings must comply with the following:

1. Materials Included in Program
   - Plastic, metal, paper, and cardboard materials

2. Collection of Materials
   - Property owners are responsible for providing all containers, labor, and equipment necessary to fulfill recycling requirements throughout their buildings. Distinctive colors and/or markings of recycling containers should be provided to avoid cross contamination. Additionally, property owners are responsible for the collection and transportation of recyclable materials from office building locations to markets. Size, type and number of recycling containers to be used are at the discretion of the property owner. Owners and/or Tenants will be responsible for placing recyclables in the supplied recycling containers prior to their collection on the scheduled pick up day.

3. Marketing of Materials
   - Property owners are responsible for the marketing of their recyclables. Annual reports shall be submitted detailing the recycling tonnage removed from the office building and the end-markets for the materials.

Property owners must report the details on their recycling activities to the County on an annual basis, beginning with calendar year 2021.
C. Stakeholders

Stakeholders that will be involved in implementing the law are:


2. Department of Public Works, Bureau of Waste Management Services, Recycling and Waste Reduction Division – Responsible for communicating the requirements of the law to affected property owners. If requested, the Bureau will assist affected property owners in developing a recycling program. Beginning with calendar year 2021, the Bureau will utilize the established Maryland Recycling Act (MRA) Solid Waste Survey as the mechanism for property owners to report recycling activities required under the law.

3. Property Owner or Manager of the Office Building – Responsible for providing recycling to tenants of each office building by October 1, 2021 including securing and managing recycling contracts for material collection and recycling services, including material collection bins and containers for transporting materials from the buildings. Responsible for performing record keeping and reporting to the County on an annual basis.

D. Participating Office Buildings in OBR Program

Regulated properties are listed in Attachment 1, Office Building Recycling Program Inventory. New buildings with 150,000 square feet or greater of office space will be required to offer recycling services to tenants within three (3) months of being notified by the County.

E. Schedule for the Development and Implementation of the Program

The Bureau’s Recycling and Waste Reduction Division will notify office building officials, referred to as property owners in this document, of their responsibilities under the law including the materials that must be collected and recycled (plastic, metal, paper, and cardboard materials) at each office building.

The OBR Program will be implemented according to the following schedule:

1. By January 1, 2021, County will have completed distribution of the MDE approved language for the OBR Program to the property owners for OBR Program implementation.

2. By September 1, 2021, property owners will finalize and secure recycling services contracts with the private contractors.

3. On or before October 1, 2021, tenants will begin utilizing the provided recycling program at the participating office building locations.
F. Program Monitoring

The Recycling and Waste Reduction Division shall oversee the progress and performance of the OBR Program. However, the property owners will be responsible for conducting inspections, reviewing service levels, investigating reported or unreported pick-up and disposal complaints, meeting with tenants or recycling contractor staff to educate or review practices, and reviewing contractor compliance with the recycling contract. Any issues which arise that are deemed deficiencies on the part of the tenants or recycling collection contractor will be detailed in writing by the property owner and reported to the violator. Property owners shall require corrective actions to occur within sixty (60) days of notification. The property owners will also be available to conduct educational seminars and/or tours regarding new materials, practices, and procedures for tenants. Also, the property owner or manager shall be responsible for keeping the tenants current on new regulations, laws, and mandates affecting recycling in the office buildings.

G. Program Enforcement

The Recycling and Waste Reduction Division will monitor the implementation of a recycling program at office buildings as required by Sections 9-1703 of the Environment Article, Annotated Code of Maryland. The Recycling and Waste Reduction Division will confirm program compliance through the receipt of the annual MRA Solid Waste Survey beginning with calendar year 2021. Shortly after the end of each calendar year, the Recycling and Waste Reduction Division will provide each property that falls within the scope of the law, the MDE approved MRA Solid Waste Survey. Within this survey, property owners will provide data on their solid waste management, to include information regarding their recycling program.

If necessary, the County Office of Law will be consulted on any enforcement action contemplated as provided in the State Law.
March 26, 2020

Mr. Richard Bowen, Manager
Recycling and Waste Reduction
Anne Arundel County Department of Public Works
Heritage Complex, 2662 Riva Road
Annapolis, Maryland 21401

Dear Mr. Bowen:

The Maryland Department of the Environment ("MDE") has completed its review of Anne Arundel County’s (the "County") March 12, 2020 draft text of the office building recycling plan (OBR plan) for the County’s 2013-2023 Solid Waste Management Plan (the "Plan"). The County submitted the OBR plan to MDE for its review in response to the requirement of Senate Bill 370 that requires the County to include the OBR plan in the County’s Plan by October 1, 2020. MDE received the draft OBR plan on March 12, 2020.

Based on the review, MDE determined that the draft text of the OBR plan will meet the requirements of Senate Bill 370 provided that the following changes are made:

1. On Page 1, under B, replace the first paragraph with “Per Section 9-1714 of the Environment Article, Annotated Code of Maryland, each owner of the office building having 150,000 square feet or greater of office space must provide, by October 1, 2021, recycling receptacles for the collection and removal for further recycling of recyclable materials deposited into the recycling receptacles. The owners of the participating office buildings must comply with the following”.

2. On Page 1, under B, in the last paragraph, replace “2020” with "2021".


5. On Page 2, under E, replace “glass containers” with “cardboard”.

6. On Page 2, under E, revise the schedule for October 1, 2021 OBR plan implementation date.


Larry Hogan, Governor
Boyd Rutherford, Lt. Governor
Ben Grumbles, Secretary
Horacio Tablada, Deputy Secretary
In accordance with Section 9-507(a) of the Environment Article, Annotated Code of Maryland, the draft text of the OBR plan, with edits specified, is tentatively approved.

Be advised that before the County adopts the revised OBR plan, the County is required to comply with the requirements of Section 9-506(a) of the Environment Article, Annotated Code of Maryland, regarding submittal of the plan to the County’s planning agency for its certification of the OBR plan. The County must also comply with the public hearing requirements of Section 9-503(d) of the Environment Article, Annotated Code of Maryland, and Code of Maryland Regulations 26.03.03.05C prior to the adoption of the OBR plan. Once the OBR plan has been adopted by the County Council, the County must submit the adopted OBR plan to MDE for its review and final approval no later than July 15, 2020. The OBR plan must be accompanied by a discussion of substantive issues raised at the public hearing and how they were resolved.

Thank you for your continuing interest and cooperation in providing sound and long-term solid waste management planning for the County. If you have questions on these matters, please contact Mr. Tariq Masood at 410-537-3326 or tariq.masood@maryland.gov or you may contact me, at 410-537-3314 or dave.mrgich@maryland.gov.

Sincerely,

[Signature]

David Mrgich, Chief
Waste Diversion Division

cc: Tariq Masood, Project Manager, MDE, Waste Diversion Division
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