
By: **Delegates Guns, Schisler, Walkup, and Bozman**
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Assigned to: Environmental Matters

Committee Report: Favorable
House action: Adopted
Read second time: March 23, 1998

CHAPTER _____

1 AN ACT concerning

2 **Refuse Disposal - Permit Applications - Departmental Processing**

3 FOR the purpose of prohibiting the Department of the Environment from processing
4 a refuse disposal permit until certain requirements are met; and generally
5 relating to the processing of refuse disposal permit applications.

6 BY repealing and reenacting, with amendments,
7 Article - Environment
8 Section 9-210
9 Annotated Code of Maryland
10 (1996 Replacement Volume and 1997 Supplement)

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

13 **Article - Environment**

14 9-210.

15 (a) [The] SUBJECT TO THE PROVISIONS OF SUBSECTION (B) OF THIS
16 SECTION, THE Secretary may not issue a permit to install, materially alter, or
17 materially extend a refuse disposal system regulated under § 9-204(a) of this subtitle
18 until the requirements set forth in this subsection are met in the following sequence:

19 (1) Except for the opportunity for a public informational meeting, the
20 Department has completed its preliminary phase 1 technical review of the proposed
21 refuse disposal system;

1 (2) The Department has reported the findings of its preliminary phase 1
2 technical review, in writing, to the county's chief elected official and planning
3 commission of the county where the proposed refuse disposal system is to be located;
4 and

5 (3) The county has completed its review of the proposed refuse disposal
6 system, and has provided to the Department a written statement that the refuse
7 disposal system:

8 (i) Meets all applicable county zoning and land use requirements;
9 and

10 (ii) Is in conformity with the county solid waste plan.

11 (B) UPON COMPLETION OF THE REQUIREMENTS OF SUBSECTION (A)(1) AND (2)
12 OF THIS SECTION, THE DEPARTMENT SHALL CEASE PROCESSING THE PERMIT
13 APPLICATION UNTIL THE REQUIREMENTS OF SUBSECTION (A)(3) OF THIS SECTION
14 ARE MET.

15 [(b)] (C) (1) The Secretary may not issue a permit for a rubble landfill
16 under § 9-204(a) of this subtitle unless the county in which the rubble landfill is
17 located has specified the types of waste that may be disposed of in that rubble landfill
18 in its county solid waste management plan under Subtitle 5 of this title.

19 (2) The types of waste that a county may allow to be disposed of in a
20 rubble landfill under this section include:

21 (i) Trees;

22 (ii) Land clearing debris that is not a controlled hazardous
23 substance as defined in Title 7, Subtitle 2 of this article;

24 (iii) Demolition debris that is not a controlled hazardous substance
25 as defined in Title 7, Subtitle 2 of this article; and

26 (iv) Construction debris that is not a controlled hazardous
27 substance as defined in Title 7, Subtitle 2 of this article.

28 (3) The following types of waste may be disposed of in a rubble landfill
29 subject to the regulations adopted under this subtitle if the disposal of these wastes is
30 expressly approved by the county in its county solid waste management plan:

31 (i) Asbestos, if:

32 1. The asbestos is wet or otherwise in accordance with
33 federal national emission standards for hazardous air pollution when delivered to the
34 landfill; and

35 2. The owner or operator of the landfill retains a record that
36 clearly delineates where the asbestos has been deposited;

1 (ii) White goods; and

2 (iii) Subject to § 9-228(f) of this subtitle, scrap tires.

3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
4 October 1, 1998.