

STATE OF MARYLAND

**MARYLAND DEPARTMENT OF THE ENVIRONMENT**

**Shari T. Wilson, Secretary**

**BILL NO:** Senate Bill 364

**COMMITTEE:** Education, Health, and Environmental Affairs

**POSITION:** Support with Amendments

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**TITLE:** Environment – Coal Combustion By-Products --  
Permits

**BILL ANALYSIS:** This proposed legislation would require the Department to hold a public informational meeting for any application for a permit involving disposal of coal combustion by-products (CCB's). The meeting would be required to be held within a 5-mile radius of the location where the disposal of coal combustion by-products would occur. The legislation would also require the Department to hold a public hearing on any application for a permit to install, materially alter, or materially extend a landfill that accepts CCB's and provide written notice of the hearing to both the county in which the proposed landfill is to be located, and to any other county that is located within 5 miles of the proposed site.

**POSITION AND RATIONALE:** Support with Amendment

This bill would formalize and codify what is essentially already the practice and policy of the Department. However, a clarifying amendment is necessary in order to ensure consistency with other language in the statute relating to refuse disposal systems.

Section 1-603 of the Environment Article already requires that the Department offer a public informational meeting for any landfill application, including an industrial waste landfill such as a CCB landfill. By policy, the Department has required a public informational meeting without one being requested since the law was enacted. Similarly, a public hearing is held for all landfill permit applications, and advertised in accordance with both Sections 1-602, and 9-209 of the Environment Article.

Section 9-204.2 (a)(4) of the Environment Article requires that the Department give written notice of applications for refuse disposal facilities, including landfills, to the government of the county where the proposed facility is located, and any other county that lies within a mile of the site. The Department currently holds meetings and hearings regarding landfill applications at a suitable facility as close to the site of the proposed landfill as can be conveniently arranged, usually a school, library, or community center. Therefore, the only practical change required by this bill would be to cause the Department to notify counties that lie within 5 miles, instead of 1 mile, of a proposed CCB landfill, which would present no fiscal or operational impact on the Department.

**FOR MORE INFORMATION,**  
**CONTACT LISA NISSLEY**  
**410-260-6301 ANNAPOLIS**  
**410-537-3812 BALTIMORE**

BY: Maryland Department of the Environment

AMENDMENTS TO SENATE BILL 364  
(First Reading File Bill)

AMENDMENT NO. 1

On page 1 in line 24 after “BY-PRODUCTS” insert “AT A REFUSE DISPOSAL SYSTEM AS DEFINED IN §9-201(E)”.

On page 2 in line 7 strike “LANDFILL OR LANDFILL” and insert “REFUSE DISPOSAL”; in line 8 after “THAT” strike “ACCEPTS” and insert “INVOLVES THE DISPOSAL OF”; in line 13 after the second “THE” strike “LANDFILL OR LANDFILL” and insert “REFUSE DISPOSAL”; and in line 16 strike “LANDFILL OR LANDFILL” and insert “REFUSE DISPOSAL”.