

Chapter 741

(House Bill 1508)

AN ACT concerning

Environment – Coal Combustion By-Products – Disposal and Noncoal Mine Reclamation Sites

FOR the purpose of prohibiting the Department of the Environment from issuing a certain permit to install a certain refuse disposal system that would accept certain coal combustion by-products for disposal or for new noncoal mine reclamation using certain coal combustion by-products if the refuse disposal system or noncoal mine reclamation would be located in ~~or adjacent to~~ a certain critical area; altering the application of a certain definition; and generally relating to the disposal of coal combustion by-products.

BY repealing and reenacting, with amendments,
Article – Environment
Section 9–289(a)
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

BY adding to
Article – Environment
Section 9–290
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

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

Article – Environment

9–289.

(a) (1) In this [section] PART, “coal combustion by-product” means the residue generated by or resulting from the burning of coal.

(2) “Coal combustion by-product” includes:

- (i) Fly ash;
- (ii) Bottom ash;

- (iii) Boiler slag;
- (iv) Pozzolan, as defined in § 15–407 of this article; and
- (v) Solid residuals removed by air pollution control devices from the flue gas and combustion chambers of coal–burning furnaces and boilers.

9–290.

THE DEPARTMENT MAY NOT ISSUE A PERMIT UNDER THIS TITLE TO INSTALL A NEW REFUSE DISPOSAL SYSTEM THAT WOULD ACCEPT COAL COMBUSTION BY–PRODUCTS FOR DISPOSAL OR FOR NEW NONCOAL MINE RECLAMATION USING COAL COMBUSTION BY–PRODUCTS IF THE REFUSE DISPOSAL SYSTEM OR NONCOAL MINE RECLAMATION WOULD BE LOCATED IN ~~OR ADJACENT TO~~ A CRITICAL AREA, AS DEFINED UNDER § 8–1802 OF THE NATURAL RESOURCES ARTICLE.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2010.

Approved by the Governor, May 20, 2010.