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COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

Legislative Session 1991

Resolution No. CR-19-1991

Proposed by The Chairman (by request - County Executive)

Introduced by Council Member Castaldi

Co-Sponsors _____

Date of Introduction March 5, 1991

RESOLUTION

A RESOLUTION concerning

Fiscal Year 1986 - 1995

Comprehensive Ten Year Solid Waste Management Plan

FOR the purpose of amending the Fiscal Year 1986 - 1995

Comprehensive Ten Year Solid Waste Management Plan by adding the B&B Partnership Rubblefill located between Gallahan Road and Piscataway Road.

WHEREAS, Section 9-515 of the Environment Article of the Annotated Code of Maryland requires that each county adopt and submit to the Maryland Department of the Environment (the Department) a County plan dealing with solid waste disposal systems and solid waste acceptance facilities and may submit amendments and revisions thereto; and

WHEREAS, Section 9-515 establishes a procedure governing the preparation, adoption and amendment of said plan in Prince George's County; and

WHEREAS, the FY 1986-1995 Comprehensive Solid Waste Management Plan for Prince George's County was adopted by CR-70-1986 and amended by CR-105-1988, CR-38-1989 and CR-104-1989; and

WHEREAS, the County Council wishes to update the references in the plan to rubblefills which are currently operating in the County; and

WHEREAS, the County Council of Prince George's County, Maryland, sitting as the District Council, amended the zoning map for that part of the Maryland-Washington Regional District in Prince George's County to show an approved special exception for the B&B Partnership to operate a rubblefill located between Piscataway Road and Gallahan Road on approximately 69.6 acres of land; and

WHEREAS, operation of the aforementioned rubblefill approved in Special Exception No. 3638, is to be conducted in accordance with Sections 21-126 through 21-137 of the Prince George's County Code and certain other conditions as set forth in Special Exception No. 3638; and

WHEREAS, the Council has been advised that the Maryland Department of Natural Resources has confirmed the presence of a bald eagle's nest either on or immediately adjacent to the Samuel S. Bevard, Sr. (B & B Partnership) property; and

WHEREAS, the Council desires to clarify that its action on this resolution is not intended to condone the desecration of the habitat of an endangered wildlife species, and further recognizes that specific agencies of the federal and state government have been charged with the responsibility of assuring the protection of

sensitive wildlife habitats; and

WHEREAS, the County Council received public testimony regarding the B&B rubblefill through a duly advertised public hearing; and

WHEREAS, in addition to the normal advertising procedures, the County Council notified the Washington Suburban Sanitary Commission, the Maryland-National Park and Planning Commission, the State and County Health Departments, the State Department of Planning and the State Department of Natural Resources, of the public hearing and provided each agency with a copy of the amending resolution; now, therefore,

SECTION 1. BE IT RESOLVED by the County Council of Prince George's County, Maryland, that the adopted 1986 - 1995 Comprehensive Ten Year Solid Waste Management Plan, as adopted by CR-70-1986 and amended by CR-105-1988, CR-38-1989 and CR-104-1989, is further amended as follows:

a. Amend Chapter Four, Section II.C., entitled "Rubblefills" to read as follows:

c. Rubblefills. There are three rubblefills: Brandywine, Ritchie-Marlboro, and the B&B Partnership. Their locations are shown on figures 4-4, 4-5, and 4-5C respectively. The Brandywine and Ritchie-Marlboro Road rubblefills have approved State and County permits and are currently in operation.

The B&B Partnership Rubblefill (figure 4-5c) was approved in July 1988, by Special Exception No. 3638. The owner of the property and the operator of the fill have applied to the Maryland Department of the Environment for a State permit to operate the subject

rubblefill, and to Prince George's County for a County permit. The fill will not begin operation until these and all other applicable permits are issued.

During the planning period, an annual increase of five percent (5%) rubble is projected. Projected quantities are reviewed yearly as more accurate information becomes available.

B. Substitute page 4-2 showing the Revised Figure 4-1 attached hereto as Attachment A.

C. Add a new page 4-7c with Figure 4-5c as shown on Attachment B.

SECTION 2. BE IT FURTHER RESOLVED that within five (5) working days of the adoption of this resolution, it shall be transmitted to the County Executive by the Clerk of the Council.

SECTION 3. BE IT FURTHER RESOLVED that this resolution shall take effect on the day following the first regularly scheduled Council meeting day which occurs after the County Executive transmits his comments on this amendment, or ten (10) working days following the transmittal of this resolution to the County Executive whichever shall occur first. Prior to the effective date of this resolution, the Council may reconsider its action based upon any recommendations received from the County Executive.

BE IT FURTHER RESOLVED that upon the effective date of this resolution, it shall be transmitted by the Clerk of the Council to the Secretary of the Department of the Environment.

Adopted this 16th day of April, 1991.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: _____
Richard J. Castaldi
Chairman

ATTEST:

Maurene W. Epps
Acting Clerk of the Council

NOTE: Attachments A and B available in hard copy only.