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INTERGOVERNMENTAL AFFAIRS DIVISION

COUNTY AGENCY LEGISLATIVE COMMENT REQUEST FORM

Reviewing Agency: Department of the Environment

Bill/Resolution Number: Zoning – Prohibiting Fly Ash Landfills

Brief Summary of the Bill/Resolution: In all zones, prohibit all fly ash Landfills to include disposal, depositing, or storing fly ash.

Agency Impact:

Will this bill impact your Agency financially or operationally, or your Agency's mission?

☐ Yes ☐ No ☒ Undetermined

If yes, please select the appropriate impact: ☐ Positive Impact ☐ Negative Impact ☐ No Impact

Discussion of Impact: Recommend possible change to the definition of Fly Ash and use phrase Coal Combustion Byproducts (CCB) which encompasses fly ash, bottom ash, fluidized-bed ash, ash slurry, and a broad definition of CCB. Clarify if this legislation prohibits possible manufacturing of beneficial end uses of ash, to include brick/ block, pavers, wall board and other cementitious products. If this legislation is intended to allow manufacturing, recommend we restrict inflow of fly ash to the testing levels of pre-processed fly ash to an acceptable and benign manner that meets, at a minimum, the standards associated with Staged Turbulent Air Reactor (STAR) industry standards and/or standards as generated by Maryland Department of the Environment.

Fiscal Impact: Unknown.

Agency Position Recommendation:

☐ Support ☐ Oppose ☒ Support with Amendments ☐ No position

Clarifications of fly ash definitions. Determine current status of permitting associated with existing Brandywine Fly Ash Fill and how this operation will blend with this legislation. Fly Ash from Charles County is/was delivered the Brandywine facility. May need to consider impacts of this legislation with their ongoing operations permit.

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Additional Information:

Has your agency been contacted by the State Department of Legislative Services staff regarding this proposal?

☐ Yes ☒ No

If yes, please provide comments about the discussion.

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