

MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
8787 Georgia Avenue • Silver Spring, Maryland 20910-3760

MCPB Item #2
11//29/01

MEMORANDUM

TO: Montgomery County Planning Board

VIA: Jeff Zyontz, Chief, County-Wide Planning Division
Jorge A. Valladares, P.E., Chief, Environmental Planning

FROM: Mark Pfefferle, Planning Coordinator

DATE: November 26, 2001

SUBJECT: Amendments to the Comprehensive Solid Waste Management Plan for Montgomery County

INTRODUCED BY: County Executive Duncan

INTRODUCED DATE: October 16, 2001

PLANNING BOARD REVIEW: November 29, 2001

STAFF RECOMMENDATION: APPROVAL

PURPOSE OF THE AMENDMENT

Section 9-515(e) of the Environment Article, Annotated Code of Maryland, requires the Montgomery County Council to submit the Comprehensive Solid Waste Management Plan, or amendments, to the Planning Board for recommendations at least 30 days before a public hearing on the plan, or amendments. The purpose of this amendment is to modify the Comprehensive Solid Waste Management Plan for Montgomery County by:

- Adding a new definition for Construction and Demolition Debris
- Adding text reference to a proposed new construction and debris reclamation facility in Clarksburg
- Identifying Environmental Alternatives. Incorporated as the operator of the proposed facility, in the table for County Solid Waste Acceptance Facilities in the Comprehensive Solid Waste Management Plan
- Updating the plan by deleting reference to the closed Montgomery County regional sewage sludge composting facility at 2201 Industrial Parkway in Silver Spring

- Indicating the M-NCPPC Bonifant Road Landfill is closed.

BACKGROUND

This amendment has been forwarded to the Planning Board in accordance with state law, which mandates that each jurisdiction in Maryland maintain a comprehensive solid waste management plan (Sec. 9-503 Environmental Article of the Annotated Code of Maryland). In Montgomery and Prince George's Counties, the Comprehensive Solid Waste Management Plans, and any plan amendments, must be submitted to the Maryland-National Capital Park and Planning Commission (M-NCPPC) for recommendations. (Sec. 9-515 (e)).

The Montgomery County Council adopted the Comprehensive Solid Waste Management Plan for the Years 1998 through 2007 by Resolution 13-1418 in 1998. On June 26, 2001, the County Council adopted zoning text amendment (ZTA) 01-03, Construction Debris Reclamation Facility in the Rural Service (RS) Zone. ZTA 01-03 is an amendment to the Montgomery County Zoning Ordinance, Chapter 59 of the Montgomery County Code, which:

- Amends the definition of "Recycling Facility"
- Defines "Construction Debris Reclamation Facility"
- Provides for a construction debris reclamation facility in the RS zone as a permitted use, and
- Requires construction debris reclamation facility operators to obtain a permit from the County's Department of Permitting Services.

Environmental Alternatives Reclamation, Incorporated, intends to construct and operate a construction debris reclamation facility on 11 acres of RS zoned property between I-270 and Route 355 in Clarksburg. The facility would receive, sort, and containerize debris from regional construction sites. Trucks would transfer separate loads of recyclable and non-recyclable materials from the site to appropriate acceptance facilities. Prior to operating the facility, Environmental Alternatives Reclamation, Incorporated must receive a solid waste facility permit from the Maryland Department of the Environment (MDE). MDE will not issue permits to facilities not referenced by name in Comprehensive Solid Waste Management Plans.

M-NCPPC IMPACTS

Adoption of this amendment will not impact M-NCPPC. By identifying M-NCPPC's Bonifant Road landfill as closed, the Comprehensive Solid Waste Management Plan would accurately reflect the correct status of the landfill.

RECOMMENDATION

The staff supports the proposed amendments, as submitted by the County Executive, to the Solid Waste Management Plan.

Attachments

- 1) Proposed Amendment by County Executive
- 2) Site map.

Env. Energy



AGENDA ITEM 2D
OCTOBER 16, 2001
INTRODUCTION

OFFICE OF THE COUNTY EXECUTIVE
ROCKVILLE, MARYLAND 20850

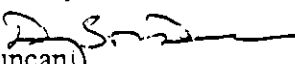


Douglas M. Duncan
County Executive

MEMORANDUM

October 5, 2001

TO: Blair Ewing, President
Montgomery County Council

FROM: Douglas M. Duncan 
County Executive

SUBJECT: Amendment to the Solid Waste Management Plan

In response to the County Council's June 26, 2001 adoption of Zoning Text Amendment 01-03, Construction Debris Reclamation Facility in RS Zone, we are proposing a Comprehensive Solid Waste Plan Amendment that adds the category of "Construction Debris Reclamation Facilities" to the list of Solid Waste Acceptance Facilities in Montgomery County. The Solid Waste Plan Amendment would also add the Environmental Alternatives Reclamation Facility to this new category. Included as part of this proposed amendment is a definition of "Construction and Demolition Debris."

If you have any questions or need additional information, please contact Art Balmer, Chief, Division of Solid Waste Services, at (240) 777-6444.

DMD:lg

Attachment

OCT 5 11:03:02

RECEIVED COUNCIL

Resolution No.: _____
Introduced: _____
Adopted: _____

COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND

By: Council President

SUBJECT: Amendment to the Comprehensive Solid Waste Management Plan requiring County Council approval to include the category of "Construction Debris Reclamation Facilities" under Solid Waste Acceptance Facilities in Montgomery County, to add the Environmental Alternatives Reclamation Facility to this new category, and to add the definition of "Construction and Demolition Debris."

BACKGROUND

1. The County Council adopted the Comprehensive Solid Waste Management Plan for the Years 1998 through 2007 for Montgomery County, Maryland by Resolution 13-1418 on October 6, 1998.

2. On June 26, 2001, the County Council, sitting as the District Council for the portion of the Maryland-Washington Regional District within Montgomery County, Maryland, adopted Zoning Text Amendment (ZTA) 01-03, Construction Debris Reclamation Facility in RS Zone. ZTA 01-03 is an amendment to the Montgomery County Zoning Ordinance, Chapter 59 of the Montgomery County Code, which was enacted for the purpose of:

- amending the definition of "Recycling Facility";
- defining "Construction Debris Reclamation Facility";
- providing for a Construction Debris Reclamation Facility in the Rural Service zone as a permitted use; and,
- requiring a permit to operate a Construction Debris Reclamation Facility.

3. The County Executive received a letter dated July 10, 2001, from Pleasants Development, Inc. requesting an amendment to the Comprehensive Solid Waste Management Plan to include the proposed Environmental Alternatives Reclamation Facility which is intended to meet the new Zoning Ordinance requirements for a Construction Debris Reclamation Facility when operational.

ACTION

The County Council for Montgomery County approves the following amendment to the Comprehensive Solid Waste Management Plan:

1. Amend Chapter 3, Section 3.3.3, Adequacy of Waste Acceptance Facilities, paragraph 4 (page 3-36), as follows (new text is underlined, deleted text is [bracketed]):

Currently [With the exception of one facility dedicated exclusively for debris from park property,] there are no permitted land clearing and construction debris acceptance facilities located in Montgomery County. A new Construction Debris Reclamation Facility in Clarksburg will accept construction and demolition debris pending issuance of a State permit by the Maryland Department of Environment and pending approval of a local operating permit by the Montgomery County Department of Permitting Services.

2. Amend Chapter 3, Section 3.3.3, Adequacy of Waste Acceptance Facilities, paragraph 7 (page 3-37), as follows (new text is underlined, deleted text is [bracketed]):

[The Montgomery County Regional Composting Facility composts biosolids on a 125 acre facility in Silver Spring.]

3. Amend Chapter 3, Section 3.3.3, Adequacy of Waste Acceptance Facilities, Figure 3.3: Facilities of the County Solid Waste Management System (page 3-38), as follows (new text is underlined, deleted text is [bracketed]):

[Montgomery County Regional Composting Facility]

4. Amend Chapter 3, Section 3.3.3, Adequacy of Waste Acceptance Facilities, Table 3.3: Solid Waste Acceptance Facilities (pages 3-39 to 3-42), as follows (new text is underlined, deleted text is [bracketed]):

**Table 3.3
Solid Waste Acceptance Facilities
Montgomery County, Maryland**

Facility Type/ Name	Location	Acreage/Grid Coordinates	Owner	Permit Status	Oper- ating Status	Remaining Life	Types of Waste	Avg. Quantity (tons/day)
Recycling Facilities								
Georgetown Paper Stock	535-B Southlawn Ln Rockville	not applicable	Georgetown Paper Stock, Inc.	not applicable	active	indefinite	paper products	not applicable
Montgomery County Materials Recovery Facility	16101 Frederick Rd Derwood	not applicable	Montgomery County	not applicable	active	indefinite	paper products; containers; yard trim	not applicable
Montgomery Scrap	15000 Southlawn Ln Rockville	not applicable	Montgomery Scrap Corp.	not applicable	active	indefinite	scrap metal	not applicable
Office Paper Systems	7650 Airpark Rd Gaithersburg	not applicable	Office Paper Systems, Inc.	not applicable	active	indefinite	paper products	not applicable
Southeast Recycling	9001 Brookeville Rd Silver Spring	not applicable	Southeast Recycling, Inc.	not applicable	active	indefinite	paper products; containers	not applicable
Composting Facilities								
Dickerson Compost Facility (yard trim)	21210 Martinsburg Rd Dickerson	not applicable	Montgomery County	permitted	active	indefinite	leaves and grass	170 tpd (varies by season)
[Montgomery County Regional Compost Facility (biosolids)]	[2201 Industrial Pkwy Silver Spring]	[not applicable]	[Washington Suburban Sanitary Commission]	[permitted]	[active]	[indefinite]	[municipal biosolids]	[200 tpd (wet tons)]
Construction Debris Reclamation Facilities								
<u>Environmental Alternatives Reclamation</u>	<u>24220 Frederick Rd Clarksburg</u>	<u>not applicable</u>	<u>Environmental Alternatives Reclamation, Inc.</u>	<u>permits pending as of October 2001</u>	<u>inactive</u>	<u>---</u>	<u>construction and demolition debris</u>	<u>average quantity to be specified in permits</u>

**Table 3.3 (con't)
Solid Waste Acceptance Facilities
Montgomery County, Maryland**

Facility Type/ Name	Location	Acreage/Grid Coordinates	Owner	Permit Status	Oper- ating Status	Remaining Life	Types of Waste	Avg. Quantity (tons/day)
Transfer Stations, Public Montgomery County Solid Waste Transfer Station	16101 Frederick Rd Derwood	745 acres 845/465	Montgomery County	permitted	active	indefinite	municipal solid waste	1,200 tpd
Transfer Stations, Private 15121 Southlawn Lane*	15121 Southlawn Ln Rockville	not applicable	Rickman Southlawn LLP	not permitted	inactive	--	demolition debris, land clearing debris, construction debris, including cardboard and other recyclable materials in the debris	--

* This site would be removed from this Plan but for the pending special exception request in case S-1758 and the pending State solid waste acceptance facility permit application. Due to rulings of the Court of Special Appeals in Holmes v. Maryland Reclamation Associates, Inc., 90 Md. App. 120 (1992) and Mayor and City Council of Baltimore v. The New Pulaski Company Ltd. Partnership, 112 Md. App. 218 (1996), the site at 15121 Southlawn Lane shall remain in the plan until a determination of the special exception request. A special exception for use of this site as a private transfer station was granted by the County Board of Appeals in case S-1758. An appeal of that grant is pending. In the event of a determination, with no further rights of appeal, that a special exception for use of this site as a transfer station will not be granted, this site will be automatically removed from this Plan without any further action being necessary. Such removal will be effective as of the date on which no further appeals of the special exception request will be available. Nothing herein shall be construed as an indication by the County that the pending permit application is consistent with this Plan.

Table 3.3 (con't)
Solid Waste Acceptance Facilities
Montgomery County, Maryland

Facility Type/ Name	Location	Acreage/Grid Coordinates	Owner	Permit Status	Operating Status	Remaining Life	Types of Waste	Avg. Quantity (tons/day)
Sanitary Landfills								
Gude Sanitary Landfill (closed)	600 E. Gude Dr Rockville	not applicable	Montgomery County	permit expired	inactive	closed facility	--	--
Oaks Sanitary Landfill (closed)	6001 Olney- Laytonville Rd near Laytonville	545 acres 787/482	Montgomery County	permitted	in process of closure	closed facility	--	--
Site 2 Landfill Site (in reservation)	near Martinsburg Rd & Wasche Rd Dickerson	not applicable	Montgomery County	permit application suspended indefinitely **	land reserved for possible future need	--	--	--
Rubblefills								
Bonifant Road Rubblefill (closed)	1201 Bonifant Rd Silver Spring	16 acres 971/462	Maryland- National Capital Park and Planning Commission	permit expired 8/3/00 [permitted]	in process of closure [active]	-- [approx. two years]	-- [land clearing and demolition debris from park property]	-- [2 tpd]

** The Maryland Department of the Environment (MDE) has issued a refuse disposal permit for this site. The County desires to suspend the permit process such that it can be resumed without repeating any of the completed stages. The County may likewise suspend other permit and governmental approval processes at convenient points in the processes to minimize repeating completed work and phases in the event the processes need to be resumed. A group of citizens has filed an appeal regarding the issuance of the permit. The County has agreed to join the citizens group to defer the appeal process until the County decides to proceed with construction of the landfill. (See Section 5.2.1.6 of this Plan.)

Table 3.3 (con't)
Solid Waste Acceptance Facilities
Montgomery County, Maryland

Facility Type/ Name	Location	Acreage/Grid Coordinates	Owner	Permit Status	Operating Status	Remaining Life	Types of Waste	Avg. Quantity (tons/day)
Resource Recovery Facilities								
Montgomery County Resource Recovery Facility	21204 Martinsburg Rd Dickerson	-- 845/465	Montgomery County (land); Northeast Md. Waste Disposal Authority (RRF)	permitted	active	indefinite	municipal solid waste	1,200 tpd
Special Medical Waste Incinerators								
Bioqual, Inc.	2501 Research Blvd Rockville	not applicable	Bioqual, Inc.	permitted	active	indefinite	medical waste	<1 tpd
Montgomery General Hospital	18101 Pr. Phillip Dr Olney	not applicable	Montgomery General Hospital	permitted	active	indefinite	medical waste	<1 tpd
PerImmune, Inc.	1330A Piccard Dr Rockville	not applicable	PerImmune, Inc.	permitted	active	indefinite	medical waste	<1 tpd
Shady Grove Adventist Hospital	9901 Med. Center Dr Rockville	not applicable	Shady Grove Adventist Hosp.	permitted	active	indefinite	medical waste	<1 tpd
Pet Crematoria								
Final Tribute Pet Crematorium	18620 Darnestown Rd Beallsville	not applicable	Final Tribute Pet Crematorium	permitted	active	indefinite	dead animals	<1 tpd
Heavenly Days Pet Crematory	605 S. Stonestreet Rockville	not applicable	Heavenly Days Pet Crematory	permitted	active	indefinite	dead animals	<1 tpd

5. Amend Appendix A, Definitions (page A-1), as follows (new text is underlined, deleted text is [bracketed]):

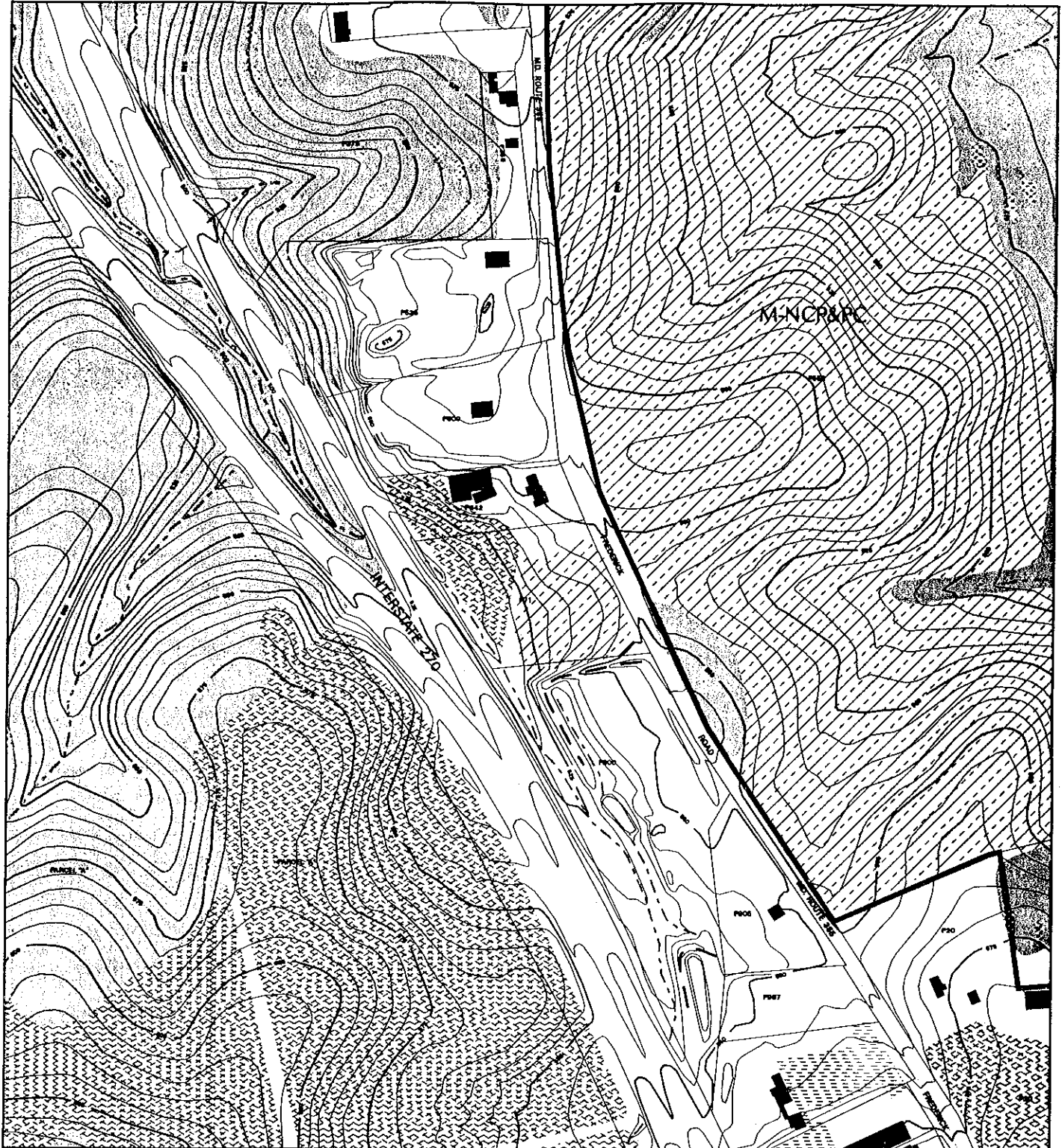
Construction and Demolition (C & D) Debris – solid waste from construction, demolition and renovation projects that produce debris including wood, wood products such as fiberboard and particleboard, cardboard, sheetrock and other drywall, plaster, fiberglass, plastic and other polymers, composite materials, glass, stone, steel and other metals, rubber, geotextile, asphalt, concrete, brick and mortar, rock, dirt, rubble, tree stumps, logs and large tree limbs. C & D Debris does not include 1) asbestos, 2) hazardous waste, 3) municipal solid waste such as garbage, household goods and refuse, 4) sludge, 5) dredged material (silt and other water pollutants), 6) medical/pathological waste, 7) ash and other residue from combustion, 8) industrial waste, 9) agricultural waste, 10) oil, antifreeze, fuel and other fluids for machinery, 11) liquid waste, 12) dead animals, 13) yard trim, 14) sawdust and slash from sawmill operations, 15) vehicles, machinery and electronics (including separated components), 16) containers, 17) tires, 18) appliances and other “white goods”, 19) furniture, 20) recreation equipment, and may exclude additional items not listed.

[**Land Clearing and Demolition Debris** – material generated from land clearing, construction and demolition operations such as earthen materials, tree stumps, roots, and limbs, logs, vegetation, rock and rubble from construction and demolition projects.]

This is a correct copy of Council action.

Mary A. Edgar, CMC
Clerk of the Council

VICINITY MAP FOR
ENVIRONMENTAL ALTERNATIVE



Map compiled on November 24, 2001 at 9:07 PM | Site located on base sheet no - 234NW14

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